REPORT
OF THE COMMITTEE
ON THE
ELIMINATION OF DISCRIMINATION
AGAINST WOMEN

(Ninth session)

GENERAL ASSEMBLY

OFFICIAL RECORDS: FORTY-FIFTH SESSION

SUPPLEMENT No. 38 (A/45/38)

UNITED NATIONS

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New York, 1990

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LETTER OF TRANSMITTAL

2 February 1990

Sir,

I have the honour to refer to article 21, paragraph 1, of the Convention on the Elimination of All Forms of Discrimination against Women, according to which the Committee on the Elimination of Discrimination against Women, established pursuant to the Convention, "shall, through the Economic and Social Council, report annually to the General Assembly of the United Nations on its activities".

The Committee on the Elimination of Discrimination against Women held its ninth session from 22 January to 2 February 1990. It adopted the report of that session at its 170th meeting, held on 2 February 1990. The report is herewith submitted to you for transmission to the General Assembly at its forty-fifth session.

Accept, Sir, the assurances of my highest consideration.

(Signed) Elizabeth EVATT
Chairman of the
Committee on the Elimination of
Discrimination against Women

His Excellency
Mr. Javier Pérez de Cuéllar
Secretary-General of the United Nations
New York

I. INTRODUCTION

A. States parties to the Convention

1. On 2 February 1990, the closing date of the ninth session of the Committee on the Elimination of Discrimination against Women, there were 100 States parties to the Convention on the Elimination of All Forms of Discrimination against Women, which was adopted by the General Assembly in resolution 34/180 of 18 December 1979 and opened for signature, ratification and accession in New York on 1 March 1980. In accordance with article 27, the Convention entered into force on 3 September 1981.

2. A list of States parties to the Convention is contained in annex I to the present report.

B. Session of the Committee

3. The Committee on the Elimination of Discrimination against Women held its ninth session from 22 January to 2 February 1990 at United Nations Headquarters in New York. The Committee held 19 (151st to 170th) meetings.

4. The ninth session of the Committee was opened by the Chairman of the Committee elected at the eighth session, Ms. Elizabeth Evatt (Australia), who welcomed the members. She stated that a conference had just been held in New York by the International Women's Rights Action Watch to celebrate the tenth anniversary of the adoption of the Convention. The Committee played an important role in making the Convention effective. Its questions, suggestions and recommendations helped to define the scope of the Convention and the obligations of States parties. The process of constructive dialogue helped States to find the best means to give effect to their obligations.

5. In her welcoming address, the Director-General of the United Nations Office at Vienna said that, at a time of radical changes in many countries, the Convention and its implementation was one of the few really bright spots in what was often a picture of loss of momentum for the advancement of women. Although there were grounds for celebrating the Convention's tenth anniversary, there was no time to be complacent. It was the Committee's work that would determine the success of the Convention and strengthen national efforts.

6. Reminding the Committee members of the fact that the programme budget for the biennium 1990-1991 had been set on the basis of no real growth and mentioning the cut of Professional staff in the Division for the Advancement of Women, she reported on what had been done within the Division to assist the Committee in its work especially in the field of policy research, such as violence against women and on traditional practices and dissemination of statistical information. She stressed the fact that the servicing of the Committee must remain the responsibility of the Division for the Advancement of Women because the Convention, unlike other human rights instruments, had an organic relationship with institutions dealing with women's issues and was in reciprocal connection with the Nairobi Forward-looking Strategies for the Advancement of Women.

7. While mentioning the secretariat resources brought from Vienna to New York for the session, she stressed that that minimal level of staff was far below what the Division would have been able to make available in Vienna, in addition to the lack of reference material which was collected in Vienna but could not be transmitted to New York. It might be useful if the Committee, as has been the practice of the Commission on the Status of Women, made known to the Secretariat in advance the general issues it would like to address so that the Secretariat could provide related information in the inter-sessional periods.

8. The Director-General reported on several events that had taken place and would take place during 1990 to commemorate the tenth anniversary of the adoption of the Convention and paid a tribute to the tireless work of non-governmental organizations. She also reminded the Committee of the forthcoming tenth anniversary of the entry into force of the Convention in 1991 and invited the Committee to think of ways to use that date to focus further attention on the Convention. The improvement of the lot of women who had not yet been touched by the Convention should underlie the concerted work of the Committee at the present session.

9. The Director of the Division for the Advancement of Women noted that four additional countries had become States parties to the Convention and that there were now 100. She noted events that marked the tenth anniversary of the adoption of the Convention, which, according to a statement made by the Secretary-General of the United Nations, provided an agenda for action by countries "to guarantee rights for women".

10. She mentioned in particular the new sales publication entitled The Work of CEDAW, which was launched at Vienna on 18 December, and whose goal was to make the Committee's work more visible and accessible to scholars, legal specialists and the public who already knew about the Committee and the United Nations work to contribute to the elimination of discrimination against women. For the mass media, the non-governmental organizations and the public at large, the Department of Public Information launched an information kit on the Convention, which provided information on the Convention in very simple language.

11. She also adverted to a seminar held at Tashkent, Union of Soviet Socialist Republics, in September 1990 and another regional seminar in October 1990 for members of the South Pacific Forum, most of whom were not yet States parties. She also reported briefly on the regional training seminar on the Convention in Guatemala in October 1989, which was organized jointly by the Government and the United Nations for the Spanish-speaking countries of the region.

C. Membership and attendance

12. At the commencement of the session, 21 members of the Committee were present.
Ms. Grethe Fenger-Moeller arrived on 26 January 1990.
Ms. Carlota Bustelo García del Real arrived on 29 January 1990. The membership of the Committee is given in annex III to the present report.

D. Agenda

13. At its 151st meeting, on 22 January 1990, the Committee adopted the provisional agenda (CEDAW/C/19) as the agenda of its ninth session. The agenda as adopted was as follows:

1. Adoption of the agenda and organization of work.

   Reporting obligations by States parties under United Nations instruments on human rights.

2. Consideration of reports submitted by States parties under article 18 of the Convention.

3. Implementation of article 21 of the Convention.

4. Adoption of the report of the Committee on its ninth session.

E. Report of the pre-session working group of the ninth session

14. At its 154th meeting, on 23 January, the Chairman of the pre-session working group, Ms. Mervat Tallawy, introduced the report of the pre-session working group that had met from 17 to 19 January 1990 (CEDAW/C/CRP.12). She said that the report was guided by the existing guidelines for second periodic reports, the examination of the initial and second periodic reports of the countries concerned, and the desire to maintain a certain uniformity as to the number of questions to be asked of each country. The pre-sessional preparatory work had proved to be a very positive experience that should be repeated at the next session. It might, however, be necessary to extend the pre-session preparatory work by one or two days, considering the larger number of second periodic reports that would be considered by the Committee at its tenth session.

15. At its 156th meeting, on 24 January, the Committee agreed on the list of issues to be raised with the States parties, in connection with the second periodic reports to be considered at the current session.

II. ORGANIZATION OF WORK

16. The Committee considered its organization of work at its 151st and 168th meetings, on 22 January and 1 February (CEDAW/C/SR.151 and 168). In connection with this item, the Committee had before it the following documents:

(a) Organization of work (CEDAW/C/CRP.7), prepared by the Secretariat in consultation with the Chairman of the Committee;

(b) Report of the Committee on the Elimination of Discrimination against Women on its eighth session; 1/

(c) Draft consolidated guidelines for the initial part of States parties' reports (CEDAW/C/CRP.9);

(d) General guidelines and recommendations adopted by the Committee regarding the form and content of periodic reports (CEDAW/Background Paper/L.18);

(e) Resolution 33/3 of the Commission on the Status of Women;

(f) Economic and Social Council resolution 1989/44;

(g) General Assembly resolution 44/73;

(h) Report of the pre-session working group (CEDAW/C/CRP.12).

A. Working groups

17. At its 151st meeting, the Committee agreed on the composition of its two standing working groups: Working Group I to consider and suggest ways and means of expediting the work of the Committee and Working Group II to consider ways and means of implementing article 21 of the Convention.

18. Working Group I was composed of the following members of the Committee:

Ms. Desirée Bernard (Co-ordinator),
Ms. Ryoko Akamatsu,
Ms. Elizabeth Evatt,
Ms. Norma Forde,
Ms. Aida González Martínez,
Ms. Zagorka Ilic,
Ms. Guan Minqian,
Ms. Mervat Tallawy,
Ms. Rose Ukeje.

19. Working Group II was composed of the following members:

Ms. Hanna B. Schoepp-Schilling (Co-ordinator),
Ms. Ana Maria Alfonsin de Fasan,
Ms. Ivanka Corti,
Ms. Hadja Assa Diallo Soumare,

Ms. Ruth Escobar,
Ms. Grethe Fenger-Moeller,
Ms. Chryssanthi Laiou-Antoniou,
Ms. Elvira Novikova,
Ms. Edith Oeser,
Ms. Lily Pilataxi de Arenas,
Ms. Pudjiwati Sajogyo,
Ms. Kongit Sinegiorgis,
Ms. Kissem Walla-Tchangai.

20. As the Committee had agreed at its sixth session, the membership of the working groups was kept flexible and open-ended so that other members could attend them.

21. Working Group I was entrusted with the consideration of the following items:

(a) Consideration and recommendation concerning the consolidated guidelines for the initial part of States parties' reports and proposals for simplifying general guidelines for the preparation of reports, taking into account general recommendation No. 2 made at the Committee's sixth session, in 1987;

(b) A discussion as to which initial and which second periodic reports should be considered by the Committee at its tenth session;

(c) Updating the report of the Committee on the achievements of, and obstacles encountered by, States parties in implementing the Convention, originally prepared for the Nairobi Conference (A/CONF.116/13);

(d) Procedural matters, including also the dates for the next session of the Committee.

B. Action taken by the Committee on the report of Working Group I

22. At the end of its closed meetings, held on 22, 25, 26 and 29 January, the Co-ordinator of the Working Group presented to the Committee the report of the Working Group at the 168th meeting, on 1 February 1990.

1. Reports of States parties to be considered at the tenth session of the Committee

23. The Working Group had before it 5 initial and 18 second periodic reports. Following the Working Group's proposal, the Committee agreed to consider at its tenth session no more than five initial and seven second periodic reports. There were two initial reports, the reports of Honduras and Romania, which had been on the Committee's agenda at previous sessions. The Committee decided that Romania should be invited to present its report at the tenth session and at the same time given an opportunity to submit an amendment or bring its report up to date, if it so desired, prior to its consideration by the Committee. Honduras had submitted the initial and the second periodic report. Both reports would be listed together for consideration.

14

24. Following the Working Group's proposal, the Committee decided to consider the following reports at its tenth session:

Initial reports

CEDAW/C/5/Add.61	Democratic Yemen
CEDAW/C/5/Add.63	Guyana
CEDAW/C/5/Add.62	Italy
CEDAW/C/5/Add.44	Honduras
CEDAW/C/5/Add.45	Romania

Reserve reports

25. No reserve reports were currently available. Should one of the above States parties not be ready to have its report considered at the tenth session, the Committee could proceed with only four reports.

Second periodic reports

CEDAW/C/13/Add.14	Denmark
CEDAW/C/13/Add.12	El Salvador
CEDAW/C/13/Add.9	Honduras
CEDAW/C/13/Add.15	Norway
CEDAW/C/13/Add.17	Philippines
CEDAW/C/13/Add.16	Poland
CEDAW/C/13/Add.13	Rwanda
CEDAW/C/13/Add.18	Sri Lanka

Reserve reports

CEDAW/C/13/Add.19	Spain
CEDAW/C/13/Add.22	Portugal
CEDAW/C/13/Add.23	Yugoslavia

26. All the above countries, and in particular El Salvador and Rwanda, were to be asked whether they were willing to proceed to Vienna in 1991. If any State was unable to confirm, inquiries were to be made with the reserve States. It was recommended that no more than 12 reports be considered at the next session.

2. Date of the Committee's tenth session

27. The Committee did not accept the dates originally proposed by the Secretariat for the tenth session and asked that the dates of 21 January to 1 February 1991 be considered, preceded by the meeting of the pre-session working group from 14 to 18 January 1991, pending the decision by the Committee on Conferences.

3. Pre-session working group for 1991

28. Before discussing the possibility of holding a pre-session working group, the Committee was presented with a statement on the programme budget implications of holding a pre-session working group (see annex IV). Following the proposal made by the Working Group and in view of the success of the pre-session working group at its ninth session and the large number of periodic reports awaiting consideration, the Committee decided at its 168th meeting, on 1 February, that a pre-session working group be convened before the tenth session in 1991 and, before each subsequent session in accordance with the decision of the Committee at its eighth session, 2/ that it be constituted as for the ninth session of five members, with five alternates, to meet for five days to consider seven reports. Upon the nomination of the working group for the tenth session, the members would meet to determine the primary responsibility for preparing preliminary draft questions for each country.

29. The report of the pre-session working group should indicate its analysis of the second periodic reports and should cover the following matters:

(a) Matters which members had asked to be included in the second periodic reports when the first report was considered, if any;

(b) Matters in respect of which the second periodic report showed important progress for women or significant change, including withdrawal of reservations;

(c) Remaining obstacles revealed by the second periodic report;

(d) Matters in respect of which further information should be provided.

30. It was decided that members should submit draft material to the Secretariat under the above headings at least one month before the date of the convening of the pre-session working group. The Secretariat would continue to provide the comparative analyses of initial and second periodic reports. It was suggested that the pre-session working group send their report directly to the States parties concerned. Members should formulate their questions in accordance with the general guidelines and the articles of the Convention and refrain from duplicating questions between articles. Members should also refrain from requesting additional statistics from States parties which were already supplied unless the request was sent well in advance so that they could be obtained from the State party's capital. It was further decided that members should conform strictly with the stated deadline for submission of questions to the pre-session working group and not deviate from them.

31. It was suggested that in selecting members for the pre-session working group Committee members who were being considered for re-election ought not to be included. There should be rotation of membership, but at least one member should remain for the purpose of continuity.

32. At its 169th meeting, on 2 February, the Committee agreed upon the membership and the alternates for the pre-session working group, as follows:

Region	Member	Alternate
Africa	Ms. Kongit Sinegiorgis	Ms. Kissem Walla-Tchangai
Asia	to be nominated by the Chairman	to be nominated by the Chairman
Eastern Europe	Ms. Edith Oeser	Ms. Zagorka Ilíc
Latin America and the Caribbean	Ms. Ana María Alfonsín de Fasán	Ms. Norma Forde
Western Europe	Ms. Chryssanthi Laiou-Antoniou	Ms. Carlota Bustelo García del Real

4. Consolidated guidelines for the initial part of the reports of States parties

33. As recommended by the meeting of persons chairing human rights treaty bodies, held at Geneva from 10 to 14 October 1988, and in accordance with General Assembly resolution 43/115, the Secretary-General requested the treaty bodies to consider the possible consolidation of their respective guidelines governing the initial part of the reports of States parties.

34. The Secretary-General intends to convey the final text of the consolidated guidelines, as approved by the treaty bodies, to the General Assembly at its forty-fifth session. The adoption of such consolidated guidelines is expected to alleviate significantly the reporting burdens of States which are parties to several international human rights instruments by making it possible for them to fulfil their reporting obligations in respect of the initial part of their reports through submission of the same core document to the various treaty bodies. A draft text of such consolidated guidelines (CEDAW/C/CRP.9) was submitted to the Committee by the secretariat.

35. Following the proposal by the Working Group, the Committee suggested that, in addition to the data mentioned in paragraph 1 (Land and people), the data on the following topics would also be required: (a) maternal mortality; (b) fertility rate; (c) percentage of population under 15 and over 65; (d) percentage of population in rural and in urban areas; and (e) percentage of households headed by women.

36. As far as possible, States should make efforts to provide all data disaggregated by sex (see the Committee's recommendation No. 9, eighth session): 3/

(a) Paragraph 2. General political structure: information should be provided about the way in which conventions were made part of the national legal system;

(b) Paragraph 3. General legal framework: information should be provided about any national machinery, or institutions established with responsibility to oversee the implementation of human rights.

37. Following the proposal made by the Working Group, the Committee suggested that the consolidated guidelines be reviewed from time to time, and that it be made clear that the treaty bodies had their own specific requirements. It was also suggested that the United Nations give assistance to any State desiring this in compiling statistical data.

5. Updating of the report of the Committee on the achievements of and obstacles encountered by States parties in the implementation of the Convention submitted at the Nairobi World Conference

38. Following the recommendation of the Working Group, the Committee agreed on the proposal made at the eighth session, 4/ and general recommendation No. 10, para. 4, 5/ and endorsed by the General Assembly in its resolution 44/73 (para. 6), to update the report on the achievements of and the obstacles encountered by States parties in the implementation of the Convention (A/CONF.116/13), on a regular basis. It considered that updating was essential to enable the work of the Committee to be evaluated, and to form a basis for the Committee to prepare general recommendations based on the examination of the States parties' reports. An analysis of the implementation of each article by States parties would benefit the States parties and the Commission on the Status of Women. The Committee could use the analysis as the basis for a discussion of one or more articles of the Convention. Such a discussion would help to identify action taken by States parties under particular articles and the issues which should be covered in States parties' reports.

6. Priority issues at the tenth session

39. It was proposed that at each session, one meeting should be set aside to discuss the implementation and application of the articles of the Convention. To that end it was suggested that at the Committee's tenth session discussions should focus on articles 5, 9, 12 and 16. Matters to be covered would include violence, sharing the custody of children, decisions about child-spacing, contraception, etc. The Secretariat was asked to extract, analyse and distribute relevant material prior to the next session.

40. Another suggestion was that the Secretariat make available material relevant to the priority themes established by the Commission on the Status of Women in considering the implementation of the Nairobi Forward-looking Strategies. The themes for 1991-1992 include:

(a) Vulnerable women: aging, disabled, migrants and youth (arts. 5, 12 and 13);

(b) National machinery and non-governmental organizations (art. 2);

(c) Refugee women (arts. 9, 12 etc.);

(d) *De facto* and *de jure* implementation (art. 4);

(e) Integration in development: elderly and young women (arts. 11 and 14);

(f) Participation in decision-making (art. 7).

41. Updating the report in these areas would promote the appraisal process.

C. Action taken by the Committee on the report of Working Group II

42. After having held closed meetings on 22, 25, 26, 29 and 31 January 1990, at which it considered six draft general recommendations concerning the practice of female circumcision, avoidance of discrimination against women in national strategies for the prevention and control of acquired immunodeficiency syndrome (AIDS), unpaid women workers of family enterprises, recognition of unremunerated contribution of women in the gross national product, women workers in enterprises, and women in development aid, the co-ordinator of the Working Group presented to the Committee the report of the Working Group at the 168th meeting.

43. Working Group II had before it the following background papers submitted by the Secretariat: summary of action undertaken at the international level in regard to traditional practices affecting the health of women and children (CEDAW/C/CRP.11); the preliminary report submitted by the Special Rapporteurs at the forty-first session of the Sub-Commission on Prevention of Discrimination and Protection of Minorities on recent developments with regard to traditional practices affecting the health of women and children (E/CN.4/Sub.2/1989/42 and Add.1 and its resolution 1989/76); AIDS and human rights, report prepared by the International Consultation on AIDS and Human Rights, United Nations Centre for Human Rights and World Health Organization (HR/AIDS/1989/3); report on the effects of AIDS on the advancement of women (E/CN.6/1989/6/Add.1); global strategy for the prevention and control of AIDS (A/44/274 and Add.1); efforts to eradicate violence against women within the family and society (E/CN.6/1988/6); violence against women in the family (ST/CSDHA/2); and conventions concerning workers with family responsibilities, adopted by the General Conference of the International Labour Organisation (ILO).

44. The Working Group agreed to submit for approval by the Committee draft general recommendations on the practice of female circumcision and on avoidance of discrimination against women in national strategies for the prevention and control of AIDS. The Working Group agreed further that the original draft text of the recommendation on female circumcision and the draft general recommendations on unpaid women workers of family enterprises, on recognition of unremunerated contribution of women in the gross national product and on women workers in enterprises, which had been accepted as topics, could not be discussed by the Working Group in detail and were submitted to the Committee for further discussion. There was no agreement in Working Group II on the proposal whether to include the original draft general recommendation on female circumcision in the report.

45. Following the proposals made by the Working Group, the Committee decided at its 169th meeting that all the draft recommendations not completed by the Working Group be referred to by title in the report and that the drafts be placed on file and be available to interested persons to consult.

46. On the basis of the Working Group's decision, the Committee, following its wish to consider further its general recommendation No. 5 (seventh session, 1988) 6/ with regard to the adoption by States parties of temporary special measures to promote *de facto* equality between men and women, agreed to ask the Secretariat for background information contained in the reports of States parties on article 4, paragraph 1 of the Convention, and on studies on this subject prepared by the United Nations system. Furthermore, in order to examine the *de facto* situation of women, the Committee decided to ask the Secretariat for background information on existing gender-related analyses in selected countries prepared by specialized agencies of the United Nations system on (a) distribution of work patterns (paid, unpaid, formal vs. informal sector) between women and men; (b) economic allocation of individual and household income and expenditure between men and women; and (c) distribution of power in terms of decision-making patterns between women and men within their group (family/household).

47. At its 168th meeting the Committee, after discussion, adopted as amended two general recommendations, as contained in section IV of the present report (see para. 438).

48. At its 169th meeting the Committee decided that in future sessions the report of Working Group II should include as annexes all draft recommendations that had been on its agenda. It was also agreed that at the beginning of each session the Committee would decide which issues should be given priority by Working Group II in drafting general recommendations for the Committee. It was agreed that drafts of Working Group II should be distributed to all the members of the Committee.

III. CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 18 OF THE CONVENTION

A. Introduction

49. The Committee considered item 2 of its agenda at its 151st to 167th meetings, held from 22 January to 1 February (CEDAW/C/SR.151 to 167).

50. The Committee had before it for its consideration seven initial reports submitted by the Governments of the Federal Republic of Germany, Malawi, Peru, Thailand, Turkey, the United Kingdom of Great Britain and Northern Ireland and the United Republic of Tanzania and five second periodic reports submitted by the Governments of Canada, Egypt, Mexico, Mongolia and the Ukrainian Soviet Socialist Republic.

B. Consideration of reports

1. Initial reports

Federal Republic of Germany

51. The Committee considered the initial report of the Federal Republic of Germany (CEDAW/C/5/Add.59 and Corr.1) at its 152nd and 157th meetings, on 22 and 25 January 1990 (CEDAW/C/SR.152 and 157).

52. The representative of the Federal Republic of Germany, in introducing the report, noted that the composition of its delegation to the Committee with a Federal Minister, two Ministers of State and officials from Federal and provincial ministries indicated the importance attached to the subject by the Government. She noted that the Convention in its tenth year had been given considerable publicity. The report had originally been prepared in 1988, but the availability of additional information, particularly from the most recent census, had led the Government to prepare an addendum which, unfortunately, arrived too late to be distributed in all languages.

53. The current situation of women was that equality was generally recognized *de jure* but that social reality continued to lead to *de facto* discrimination. Equality was guaranteed by article 3, paragraph 2, of the Federal Constitution, a clause that had been inserted in 1949 through pressure by women members of the constitutional convention. It was a directly enforceable right binding on all branches of government. Civil law had gradually been brought into line with that provision, as described in annex II of the addendum.

54. The *de facto* situation was not as good, with shortcomings most prevalent in public and professional life and in education, as the statistics found in annex I of the addendum demonstrate. Women were underrepresented in politics and government at all levels, even though they were in the majority of voters. The same was true in business enterprises, with less than 1 per cent of company directors being women. In universities, especially in the sciences, although women were well-represented among new students, they were much less among teachers and even less among professors and holders of endowed chairs.

55. Women constituted a major part of the workforce, comprising 39 per cent of gainfully employed persons and showing an increase especially in the 20-50 year age group. There had been a shift among professional sectors towards the services and there was widespread resort to part-time work by women (one third of working women were part-time). Structurally women were in the lower pay levels, worked fewer hours, did less well-paying shift work and rendered fewer years of service.

56. In education, women were attaining parity but positive actions to encourage women to take up non-traditional occasional training had not yet broken down concentration of women in effectively sex-segregated fields. As a result, women had fewer options than men.

57. The reasons for the de facto inequality rested in the prevalence of traditional task allocations, especially in rural areas and among older citizens. Women's working conditions impeded their full participation in political life.

58. To improve the situation a network of institutions had been organized to help establish equality at all political levels: the Ministry of Youth, Family Affairs and Health at the federal level, commissioners in all Laender governments, and a great number of offices in local governments.

59. The Government had taken a number of steps to implement the provisions of the Convention. There had been a broader interpretation of the concept of discrimination to include indirect discrimination. A number of special measures, as called for in article 4, had been implemented. Guidelines had been developed for the public sector, as well as the private sector. In politics, a number of political parties had established quotas or targets to increase the percentage of women. Efforts had been made to reduce stereotypes and sex discrimination in textbooks and, through voluntary efforts, measures were being taken to reduce stereotyping in advertising. The federal parliament had been dealing with trafficking in women and efforts were being made to deal with the problems of violence against women, the most serious form of discrimination, through the enactment of laws and the provision of shelter and counselling centres. Women were being encouraged by information campaigns to study in non-traditional schools and co-education approaches were being reviewed to ensure that they did not discriminate. Studies relating to matters concerning women were being encouraged and were held to be of equivalent academic standard as research on other important issues.

60. A particular effort was being made to help women and men reconcile their needs for both family and career, an aspiration expressed by 80 per cent of young women. That was being done through a combination of child-raising allowances that allowed women to leave the workforce temporarily, child care facilities, placing part-time and full-time work on an equal footing and reintegration into the workforce.

61. In general comments, members of the Committee noted that the Federal Republic had made a single reservation on the Convention and questioned why and whether it was likely to be withdrawn. The lateness of the additional information was noted and although some found it very useful, others indicated that had it been more timely the work of the Committee would have been aided, since the addendum provided much missing information. The frankness of the report was also noted. An absence of information about women's organizations and movements was noted and information on their structure and relationship with other institutions such as parties and labour unions requested.

62. On article 2, questions were raised about the question of abortion, which was considered illegal, and an illustration from legal practice was requested. An indication of which authorities were responsible for imposing sanctions for non-compliance with the Convention was requested, both at the federal and lower levels. The extent to which foreign women workers, especially from Turkey, were covered by provisions was asked. Finally, if, as the report stated, the basic law did not apply to "private" acts of discrimination, the question how they were handled was asked.

63. In relation to article 3, further information on the functioning of the decentralized implementation structure was requested, including the extent to which women participated in its workings and the kinds of demands or requests made on the machinery by women.

64. Several experts noted the guidelines for private companies that had been developed relative to article 4 and requested information on its impact. The question was raised of whether the special measures had led to resentment, as well as whether special measures were being taken to increase the number of women at decision-making levels in the light of the current low proportion. Further information on the special efforts to upgrade part-time work was requested.

65. More detail on the results of efforts to overcome stereotypes, in the context of article 5, was requested, including questions of shared responsibility for child-raising, the number of fathers taking child-raising leave, sex education in the schools and the elimination of stereotyping in advertising, as well as more generally in the mass media and on programmes to fund shelters for battered women.

66. Regarding article 6, the extent of prostitution was requested together with the results of studies on the subject and of programmes for prostitutes. Information on programmes to combat AIDS among women was requested.

67. In terms of article 7, more information was requested about the working of the national machinery, including its composition, budget and linkage with other bodies both at the federal and the provincial level, including the parliament, the Federal Ministry, trade unions and political parties. The role of the women's section of the ministry within the overall programme of the ministry needed elaboration. It was noted that the information provided did not give a full picture of the extent of women's political participation; and it was asked whether there were any special programmes to increase the number of women, either by the parties or by the Government. Information on the extent to which women held management posts in the trade unions and on the extent to which women held posts in the judiciary was requested.

68. The criteria for selecting women to participate in international work was requested along with an indication of how many women worked for the United Nations system and specific measures taken to increase the participation of women in national delegations to international meetings, as called for in article 8.

69. With reference to article 9, the length of time necessary to revise the nationality law was requested together with a confirmation that women had the same right as men to confer nationality on a foreign spouse.

70. On education, as per article 10, the question was raised whether there was a special campaign to encourage women to benefit from scholarships and to follow

unconventional careers, and the percentage of illiterate women as compared to men was also requested.

71. In the context of article 11, noting that the labour court had assessed damages for rejection from jobs because of discrimination, the frequency of those rejections was queried. Further information on the process whereby national labour laws were being revised to conform with those of the European Community and its effect on women was requested, as was whether the opening up of European frontiers required any special efforts for women. Interest was shown in laws on the effort to make part-time work equal in legal terms to full-time. It was noted that the increase in total number of women employed had not been great and further explanation of that was requested, as well as reasons why women constituted a larger proportion of both those employed and those unemployed. It was noted that under the law some 20 occupations were not open to women by statute and the list of those occupations and the statutory basis for denying women access to them were requested. Further information on the outcome of efforts to revise industrial safety laws was requested including an indication of its likely effect on women's employment. The question of the meaning of "light work" in practice and in monetary terms was made. Noting that the Federal Republic of Germany had ratified ILO Convention No. 100 in 1956, the delay in achieving equal pay between the sexes was noted. Similarly, information on how the parental leave system worked and on the prospect of returning to work with rights was requested. Questions were raised about working conditions of foreign women workers as well as their rights.

72. In terms of health, as per article 12, the incidence of industrial accidents and industry-related diseases among women was requested, as well as information on programmes to make people aware of AIDS, to deal with drug addiction and to deal with the health needs of migrant women.

73. On article 15, a question was raised concerning the policy towards housewives' freedom of movement and whether a provision for special payment of household work existed.

74. Regarding article 16, the issue of policies towards problems of elderly women, especially those divorced late in life, was raised and information about the question of provision of pensions and other benefits as part of a dissolution of marriage was requested. The status of responsibility for an out-of-wedlock child and single-parent families generally in terms of the law was requested. Noting that there were three régimes regarding property rights, a question about which régime was more frequently selected was raised. Finally, since the family name in a marriage could either be that of the woman or the man, the frequency of choosing the wife's name was requested.

75. The representative of the Federal Republic of Germany, in replying to questions raised, noted first that the only reservation made, on article 7 (b) was because the provision of the Convention contradicted the federal Constitution which completely prohibited women from bearing arms in the military service, and that was a provision which the vast majority of women in the country favoured and for those reasons could not be withdrawn. However, it did not bar women from civilian aspects of the armed forces. She noted that the process of ratification of the Convention had not involved controversy as the Convention was already consistent with existing law.

76. Regarding her ministry, she noted that within the three-tiered governmental structure of the Government (which had federal, provincial (Laender) and municipal levels), her ministry dealt with a variety of issues, for each of which a Department existed at an equal level, one of which dealt with women. The Women's Department had existed since 1986 and had a mandate to promote equal rights and therefore played a role in all aspects of the federal Government. Its special areas of competence included general policy on women's affairs, including a right to take initiatives in the form of draft laws and interventions in Parliament, a right to request postponement within the cabinet on proposed laws, which must be reviewed in terms of their potential impact on women. It functioned as a focal point to assist other ministries dealing with questions relevant to women such as, for example, protection of women in the workplace that was the responsibility of the Ministry of Labour and Social Affairs. The Department had a budget of DM 15 million per annum of which more than DM 1 million were provided to non-governmental organizations and research institutions, and which accounted for only part of the overall government budget for women's questions since many other departments of various ministries funded women's programmes (e.g. on AIDS and elderly women). Specific figures were not possible on the provincial and municipal levels owing to the diversity of institutions. Both women and men worked in the machinery and at the federal level 25 per cent of the staff were men, although at the provincial and municipal levels there was a greater predominance of women.

77. There was a long-standing tradition for women's organizations and movements going back to the nineteenth century, but currently 43 major women's organizations had come together in the Council of German Women, including groups from political parties, trade unions and churches. They worked closely with the ministry, which provided DM 750,000 per year for the Council's secretariat. Women's associations also existed at provincial (Laender) levels. There was also what was called an "autonomous women's movement" which had evolved from concerns with abortion rights, violence against women and other feminist concerns, some of whose activities were also funded by the Government. Thus there had been no decline in the vigour of the movement, but rather growing participation.

78. At the international level, the movement of the European Economic Community towards a single market would affect women and the Federal Republic was participating in the formulation of a European policy on equal opportunity in that context, as well as in the work of the Council of Europe.

79. Regarding article 2 (c), sanctions existed in that where discrimination involved a violation of law, an individual or group could make use of the courts (e.g. labour courts). However, if it was not a violation of law, no direct sanction existed and no institution such as ombudsman had been created. On article 2 (e) the constitution prescribed equal rights for all women, citizens or non-citizens, but that governed the relationship of the individual with the State and did not extend to private relationships. Other legislation, such as the labour code, also prohibited discrimination; that applied to German and foreign workers as well and the State labour offices did not discriminate. However, employers could not be forced to accept someone suggested by the labour office. Finally, on article 2 (g) the penal code did not permit abortions, but there was no punishment if the life of the woman was in jeopardy, if there was a physical or mental implication for the child, where the pregnancy was the result of a sexual offence or the birth would lead to a serious situation of dire need, and where the ground was certified by a doctor and after requisite counselling. The 1974 penal code had permitted abortion, but a subsequent judicial review had invalidated it. Because

interpretation of the existing code differed according to Laender, women often travelled to other Laender or abroad. Statistics showed 83,784 abortions the previous year, of which 86.8 per cent were covered by the extreme need ground, but many more, which had been performed by doctors within the legal possibilities, had not been reported, they are to be up to 200-250,000 per year. Few convictions had been handed down and those had been controversial.

80. On article 4, temporary measures were a core of government policy, although politically the issue was controversial. Those opposing affirmative action often invoked the equal opportunities clause of the Constitution, but article 4 of the Convention was often used as a response. Positive action in political participation was a matter for the parties rather than the Government. No clear figures were available on the effect of the guidelines for industries, but it could be noted that 51,000 copies had been provided. The issue would be dealt with in detail in the second periodic report.

81. Concerning article 5, there was a policy of encouraging men to share in domestic responsibilities, and parental leave was equally available to them but only 2 per cent of the fathers had taken advantage of the rights. It was expected that the younger generation was more likely to give up traditional role stereotypes, especially when mothers were more active. Sex education was included in the school curriculum, the need for family planning had been recognized and textbooks were reviewed regularly to eliminate stereotypes. There was no prior censorship of the media, although there was monitoring of broadcasts by the Broadcast Council.

82. On article 6, the number of prostitutes was not known, although it was suspected that owing to a fear of AIDS the number may have declined. At the Laender level, counselling was provided and self-help efforts encouraged. That included counselling offices for foreign women, who had been brought into the country on false premises. With regard to violence, there was a network of shelters (over 200) and a draft law was being considered to punish matrimonial rape.

83. Women's issues were of increasing concern for the political parties and all major parties had set quotas or targets to increase the participation of women, it was reported in the context of article 7. It was suggested that whether quotas were adopted or not - and differing views were held by women on that - participation would grow. It was noted that women in trade unions were underrepresented in top decision-making positions, one of the 16 major unions was headed by a woman. Among employers' associations, the proportion of women was very small. In the judiciary, 17.6 per cent of the judges and 17.6 per cent of the prosecutors were women.

84. Regarding article 8, information had been provided in the addendum to the report but assurance could be given that the criteria used to select women to represent the Federal Republic in international posts was professional competence. On article 9 it was confirmed that all previously discriminatory provisions of the law had been eliminated in 1970.

85. To increase the proportion of women in non-traditional fields of education, in the context of article 10, there were some problems in view of the various factors involved. Because of the benefits of the federal educational advantage law, the number of female students at the universities had risen. However, many girls selected training in "women's jobs" that were more poorly paid, but that was being

combated by providing information to induce girls into non-traditional vocational training programmes. In general the share of women in predominantly male vocations had increased fivefold since 1977 to a total of 8.4 per cent. Pilot studies had shown that girls were often better qualified than boys after training in these so-called non-traditional vocations but that girls often encountered problems when on the job because of customers' sexism. Illiteracy was non-existent in view of long-standing compulsory school attendance.

86. Regarding article 11, the reasons why only 265,000 women had entered the labour force between 1975 and 1986 can be explained by the then difficult economic situation, it was noted that over the same period the number of men in the labour force had decreased. From 1986 to 1988, however, there had been a further increase of 245,000 women. Regarding the use of the labour law to combat discrimination, the labour courts provided sanctions based on violation of civil rights and it was expected that a draft law would be passed in 1990 that would increase the amount of compensation in successful cases. Salary differentials had been made illegal but that had not been fully implemented in practice in part because salaries were set as part of collective bargaining that was outside government regulation. Women's recourse was through the labour courts and unions had supported cases at court to press claims. There was evidence of wage discrimination in the "light work" group because some wages were set on the basis of "muscle power" exerted and that was being fought by more realistic evaluations of job difficulty, which should help in contract negotiations. Regarding part-time work, the existence of legal equality in law and contracts was noted and in addition a new law made further improvements by adopting protective stipulations for work-on-call and shared work. In general, employers must give part-time workers equal treatment in pay and benefits, although when part-time work was below certain thresholds, it was not covered by social security. More women than men were found in part-time jobs in order to reconcile economic and domestic responsibilities and that reflected the lack of sharing of the latter. Part-time work did affect career possibilities of women but that would change when more men were involved in part-time work.

87. In terms of protection in the workplace, access was restricted to 20 vocational areas considered to have particular danger and stress, to wit: mine work, steel mills and construction. The general prohibition of women in construction was under review and it had been proposed that, upon certification of good health based on a medical examination, women be allowed to work in the sector, which would open up 14 of the areas. It was expected that the remaining 6 areas would not be opened up, in part because mine work was prohibited by an ILO convention. Women suffered a total of 17 per cent of work-related accidents in total. A number of policies had been adopted to ease women's return to the workplace, including counselling by newly created special offices, and retraining programmes were financed by the government and by labour offices. Women's unemployment was still 2 per cent higher than men, in part because more women returned to the workforce after interruption and were looking for part-time positions that were scarce relative to demand. The migration of people from the German Democratic Republic did not seem to have had a special effect on women, although women from the German Democratic Republic trained in construction would be able to work only when the prohibition on women in construction was removed.

88. To help reconcile domestic and economic responsibilities, parental leave had been extended, funds for training were being provided to both women and men, there was pension insurance when parents took time from jobs during the period of early childhood, during which research had indicated the importance of the presence of

both parents to the children's development, and retraining opportunities were provided based on the period of prior employment. Kindergartens were considered desirable from age three and the view of the Government was that all children between ages of 3 and 6 should be in a kindergarten in view of its importance to both children and women. The situation varied from province to province and only part of the need for full-time day care had been met.

89. Concerning article 12, it was noted that women constituted 291 out of 3,636 AIDS cases, mostly derived from drug dependency. Drug dependence among women had not been well-studied and that would be remedied. Special services had been developed for women coming from other cultures.

90. Relating to article 15, the existence of a union of housewives was noted that had been calling for a salary for homemaking although that had not been well-received. The Federal Statistical Office intended to develop figures showing the contribution of unpaid work in the home to the gross national product.

91. On article 16, women could retain the right of part of a pension upon division of property at divorce. The most common method of property division was for communal property in terms of value added during the marriage. There were no formal statistics on how family names were chosen although a survey made by the registrar's association in September 1988, indicated that depending on the size of the locality, between 1.5 and 5 per cent of couples marrying had chosen the woman's family name.

92. In response to the replies to the Federal Republic of Germany, members of the Committee commented that it would be valuable if information could be included in the second periodic report of the Federal Republic of Germany about measures to make it easier for women (and men) to combine their work and family responsibilities, such as child-care, part-time work with equivalent conditions and re-entry programmes, and also about programmes to encourage girls to broaden their educational and vocational choices. It would help if data could be included to show change in these and other areas.

United Republic of Tanzania

93. The Committee considered the initial report of the United Republic of Tanzania (CEDAW/C/5/Add.57 and Amend.1) at its 153rd, 154th 157th and 158th meetings on 23 and 25 January 1990 (CEDAW/C/SR.153, 154, 157 and 158).

94. Introducing the report, the representative of the United Republic of Tanzania said that it was the Government's policy to provide adequate protection to the rights of women in the society. However, sex discrimination still existed in both the public and private sectors as a consequence of socio-economic factors. She highlighted some of the issues contained in the additional report, which had recently been submitted, stating that the ratification of the Convention had strengthened and reactivated the country's effort in the implementation of the elimination of discrimination against women. The party and the Government had tried to give equality to women and resorted to many positive measures to achieve that goal.

95. She said that women had always been encouraged to be on the forefront in the political arena. She provided statistical data on education and said that in spite of statements made on education by the party and the Government to benefit women,

there was a discrepancy between those statements and actual benefits realized by women due to societal attitudes, traditional sexual division of labour and socio-economic changes.

96. She stated that there was a shortage of health services to all women. The maternal mortality rate was 185 per 100,000 deliveries, that employed pregnant women were entitled to 84 days of paid maternity leave and 60 per cent of pregnant women had access to free medical care. However, the majority of women in rural communities could not rest shortly before and after delivery because they had to provide food for the family. In spite of equal rules governing the employment of women and men, in practice, women were still being discriminated against as a result of factors related to family conditions and responsibilities and socio-economic factors.

97. In the United Republic of Tanzania, rural women were the backbone of the economy since agriculture was the main productive activity of the country. Their working conditions were very hard and, consequently, a few measures had been developed with gender sensitivity. Realizing the historic disadvantages of women in politics, the party and the Government had introduced a quota system for women at different levels of decision-making on political organs.

98. Although the report had regrettably been submitted at a date too late to permit full consideration, members of the Committee expressed appreciation for the oral presentation, for the critical character of, and the substantial information provided by the additional report.

99. That fact as well as the calibre and size of the delegation pointed to the degree of commitment shown by the Government to the advancement of women. The existence of national machinery was noted. Also, while noting that the Government had ratified the Convention without reservations, some members asked how it was possible not to enter a reservation if customary laws still existed which were in contradiction to the stipulations of the Convention. It was also asked whether the Government had made a review of existing customary laws and what the status of women had been before the ratification of the Convention. The attention paid by the Government to priority areas such as health and education was commended.

100. The quota system for women in Parliament was highly appreciated. It was asked what measures the political parties and the Government were taking to advance the status of women and what the main obstacles to the equality of women were. It was asked whether or not the Convention could be invoked before the courts. Further information was requested on the sources of financing for the Division of Women and Children, the number of people employed there and the results of its work.

101. On article 2, questions were raised about new laws adopted as a result of the work of the Law Reform Commission. It was asked whether equality existed only in civil law, or also in common law marriages. The question was asked why women were not entitled to maternity leave in some cases and whether plans existed to change that situation. An indication as to whether the budget for the Fourth Development Programme for Tanzania foresaw a specific provision for the advancement of women was sought, as was information on the number of women in public administration and in the judiciary and whether sanctions existed against discriminatory practices. It was asked whether the Government undertook any measures to abolish customary traditions contrary to the advancement of women and whether there were plans to abolish the dowry system.

102. Regarding article 3, more information was requested on institutions dealing with the equality of women, the results of their efforts and their integration into the national development plan. It was asked whether and how women have become aware of their rights, whether records existed on cases of discrimination that were brought before the courts and the attitude of women's organizations regarding the lack of punishment of rapists.

103. Referring to article 4, questions were raised as to whether the Government was planning to take further temporary special measures and positive actions to help rural women to set up co-operatives and to obtain bank loans and economic support, and what type of technology was meant to assist women in work and production.

104. In the context of article 5, questions were asked as to how the Government reconciled the customs and traditions among the ethnic groups to make the policy benefit women, whether measures were taken to change the social attitudes and end discrimination against women and the belief that women were of an inferior value, how the efforts in family education were being co-ordinated and what results had been achieved. It was asked whether any studies had been undertaken about the separation of household tasks and income-earning work between men and women, what the percentage of women was whose task consisted in only taking care of the home and what the reasons were for the higher percentage of women in farming. It was asked how the value of women's work could be assessed in money or in kind.

105. Under article 6 more information was sought on the extent of prostitution and the provisions that existed to eliminate prostitution. It was asked whether prostitution was illegal and how the Government was dealing with the health-related problems of prostitution.

106. Regarding article 7, information was sought as to whether there were other women's movements in the United Republic of Tanzania apart from the Women's Organization "Umoja wa Wanawake Tanzania" (UWT). Questions were raised about its composition and whether its decisions affected governmental and party decisions. The quota system was highly commended; it was asked what measures were being taken to increase the political participation of women and whether women were being encouraged to compete outside the quota system and why the percentage of women in the Central Party of Tanzania had dropped from 14.6 per cent to 5 per cent. Further information was requested on the percentage of women's participation in Parliament, in governmental posts and in the judiciary.

107. With reference to article 9, it was asked whether a Tanzanian woman who had a foreign husband could confer her nationality on her children.

108. On article 10, information was sought on the change in men's school enrolment as a percentage of total enrolment since 1984, on the number of women in the teaching profession, on the percentage of women in universities, on the actions being taken by the Government to encourage women to enrol in secondary and higher education and on the types of occupation undertaken by girls after school enrolment. Experts commented on the high school drop-out rate for girls and it was asked whether studies had been made on the reasons for that phenomenon, whether sex education was foreseen in the school curricula, why pregnant girls were not allowed to re-enter school after delivery and what the percentage of co-educational schools was. The literacy programmes of the Government were commended and data more recent than 1986 on the reduction of the illiteracy rate were requested.

109. In the context of employment, under article 11, questions were raised about measures to resolve the problem of discrimination against women in public and private enterprises and about measures to integrate women into the private sector. It was asked whether women in the private sector received fixed salaries and whether and how rural women workers were protected. Interest was shown concerning the amount of time spent by women on maternity leave, the percentage of women who took maternity leave and the amount of maternity pay. Experts were interested to know whether any other measures had been adopted to control the population question. Questions were asked concerning how women's wages compared to men's wages, whether there had been any changes in the level of women's wages and whether affirmative actions had been undertaken to integrate women in every sector of employment. Information was sought on the results of initiatives undertaken by the Women's Organization UWT with regard to the provision of day-care centres in urban as well as in rural areas and on the percentage of children in such centres. More information was sought on women's co-operatives.

110. Under article 12, several questions referred to the family planning policy of the Government. Information was sought regarding how contraceptives were distributed, whether they were free of charge, what the traditional methods of contraception were, whether women had to obtain permission from their husbands as well as husbands from their wives for undergoing sterilization. Further clarification on the percental usage of oral contraceptives was requested. Experts wanted to know what procedure had to be followed for obtaining a legally permitted abortion. They sought information on the effect of traditional practices on the health of women and asked whether female circumcision was being practised and the reasons for the short life expectancy of women. The percentage of women in health-related professions and the attitude of non-governmental organizations with respect to unmarried women were requested.

111. With reference to article 13, it was asked whether single women had access to bank loans, credit and ownership of land and whether women had a right to inheritance, and if not, whether the Government intended to change the situation.

112. On article 14, questions referred to training possibilities for women in modern agricultural machinery and to the measures undertaken by the Government to implement the Credit Scheme for Productive Activities of Women.

113. With regard to article 15, it was asked whether a family code existed, what its provisions were and whether it was part of statutory law or of customary law.

114. Under the terms of article 16, questions were asked regarding what at the time of divorce happened to goods acquired during the marriage and also what the normal marriageable age was. Experts inquired about the "marriage of reason" and about the age when it was contracted and sought more information on the adoption system. They inquired about the attitude of the society towards divorced women, about the percentage of households headed by women and the results of actions undertaken by women's movements to abolish the dowry system.

115. In replying to questions raised by the Committee, the representative of the Government of the United Republic of Tanzania pointed out that the question of development was of primary importance in her country, and that the most important methods for implementing the Convention were the development of technical capabilities and skills among women, the sensitization of society, the adoption of new laws and the dissemination of information on the newly acquired rights of

women. She said that her country was well aware of some discriminatory practices; however, rather than entering reservations to some articles of the Convention, it was her Government's firm intention to work systematically to eradicate those remaining practices.

116. Referring to article 2, she stated that the Government had completed the drafting of a policy on women in development, and the party, the Planning Commission and the women's organization UWT had started to work on the population policy. The Law Reform Commission was working on the reform of retrogressive laws, on the enforcement of articles of the Convention and on the review of contradictions between customary and common law. She said that the Marriage Act was statutory law, which allowed women to dispose of property. Dowry existed only as a traditional and sometimes religious practice. It had not yet been banned by law, but it did not prevent divorce. She further stated that the Fourth Development Programme would hopefully include budgetary provisions for the advancement of the status of women.

117. Replying to questions raised under article 3, the representative stated that the Government had created the Department of Women's Affairs to deal with women's and children's issues. It was staffed with trained personnel, had specially allocated funds and was establishing focal points for women in several ministries. The Convention had been distributed to governmental and party circles and was being translated into the national language in order to give the widest possible dissemination of its contents. The party and the Permanent Commission of Inquiry were also active in removing discrimination against women. She further stated that rape was a punishable offence, but women felt embarrassed to file complaints. She gave figures of the number of women in the judiciary and referred to several cases in which women had taken claims of discrimination to court and won their cases.

118. On article 5, she said that studies had been carried out in several regions on the division of labour between women and men in agricultural activities. They showed that women worked harder because of the traditional gender division of labour and the need to sustain the family. Most activities in Tanzania were guided by the policies of the party, which ensured national unity without sacrificing individual or group interests.

119. Referring to article 6, she stated that prostitution was illegal, but that it was very difficut to get statistics on prostitution and that the Government was trying to eradicate it.

120. She said that the quota system for representation of women in various bodies had been very effective and was being used as a strategy to ensure the presence of women at all decision-making levels. That system did not deprive women from contesting for other seats. Referring to further questions under article 7, she said that there were several other women's organizations apart from UWT, most of which had been formed as a result of the United Nations Decade for Women and the Convention. The organization UWT was a mass organization from the national level down to the grass roots and had an advisory function on women's issues for the Government and the party. The reason for the drop in the percentage of women in the Central Committee of the party of Tanzania lay in the general decrease of the size of that body. Standards for women in politics were generally much higher than for men.

121. There was no discrimination regarding the transfer of nationality of a Tanzanian woman to her children. All children born in Tanzania were automatically Tanzanian citizens.

122. In response to questions on article 10, the representative said that there were sanctions against parents who allowed or encouraged the drop out from school of their children. Curricula for family life education in schools were being developed by the Ministry of Education and girls who dropped out from school because of pregnancy were not readmitted to school because of lack of facilities for young mothers and because their expulsion was considered as a punishment. She said that the complete eradication of illiteracy was hoped for by the end of 1990.

123. Concerning questions raised under article 11 on measures taken to counteract discrimination in employment, she referred to pages 81 to 83 of the English text of the additional report. No data had been collected yet on the percentage of women who were homemakers compared to those who were employed. The women's organization UWT encouraged the establishment of child-care centres, but their number was still too low.

124. With regard to article 12, the representative enumerated several programmes that had been carried out to combat the high maternal and infant mortality and morbidity rates. The life expectancy was comparatively higher for women than for men, but it was low for both women and men because of difficult conditions in a developing country. Culturally, women were encouraged to have more children, economically not. Punishment for men who made schoolgirls pregnant ranged from fines to five years of imprisonment. Family planning was not part of the school curriculum, but contraceptives were distributed free of charge, mainly to married women. She gave some clarification on the question of sterilization and said that abortion was illegal except when the health of the mother was in danger. Prostitutes enjoyed the same health services as all others. Female circumcision was practised secretly and its occurrence was declining as it was frowned upon by Government and society.

125. In regard to article 13, she said that single and married women could own land and had access to credit. In order to facilitate accessibility to loans, banks had started women's desks and were providing easier lending conditions for women.

126. Concerning article 14, she said that action was being taken by the Government to provide training for women in modern machinery and technology; however, there was not sufficient financial support. She also mentioned the existence of a few co-operatives for rural women.

127. In respect of questions raised under article 15, she said that instead of a family code, different laws existed that governed family matters.

128. With regard to article 16, the representative said that the minimum age of marriage was 15 for girls and 18 for men. Divorce was not easily accepted by society and property acquired by both parties during the marriage would be divided equally in case of divorce. Women and men could choose freely whether they wanted polygamy or monogamy. She said that there were no statistics on the number of households headed by women, but that the status of the family was the same whether headed by a woman or a man.

129. Members of the Committee expressed appreciation for the detailed answers given by the representative and were looking forward to hearing about further progress made in the country's subsequent report.

Malawi

130. The Committee considered the initial report of Malawi (CEDAW/C/5/Add.58 and Amend.1) at its 154th and 158th meetings on 23 and 25 January 1990 (CEDAW/C/SR.154 and 158).

131. The representative of Malawi, in introducing the report, stated that owing to the withdrawal of the reservations entered by the Government at the time of accession to the Convention on articles 2, 5 and 16, the initial report had changed substantially. As there was no case as yet, for which the Convention could have been directly invoked before the courts, the question of direct applicability of the Convention had not yet been decided. She said that the Government recognized that women were predominant in agricultural production. In order to improve the situation of those women, a Women's Section had been created within the Ministry of Agriculture to initiate and co-ordinate agricultural programmes for women farmers. She further said that women were the major beneficiaries of the adult literacy programme launched by the Government in 1981.

132. She said that legal protection existed and was enacted by appropriate legislation. Women's projects on income-generating activities were initiated by the National Commission for Women in Development and other related organizations enhanced the participation of women in worthwhile economic undertakings. She stated that the penal laws protected women from trafficking and the exploitation through prostitution and that the stipulations of article 7 were already being fully implemented before the country's accession to the Convention. The Malawi Citizenship Act contained similar provisions for women and men, and the same provisions for education applied to girls and boys. The representative mentioned a quota system for girls in secondary education and that the education and training committee was organizing a workshop to discuss the reasons leading to the high female drop-out rate.

133. She stated that the right to work was not an absolute right. However, the Government had developed technical and vocational training programmes, which sought to reduce the incidence of unemployment. Paid maternity leave for women working in the private sector was still under review.

134. The Government had achieved some marked success in the implementation of the family planning programme. However, because of the country's current level of economic development, it was not feasible to provide adequate nutrition to mothers. She further stated that the Legal Committee was planning to compile a small booklet, which would contain issues of women's rights under the new legislation and to make women aware of them.

135. For both women and men in rural areas, extension and training services were available. Rural women had access to credit through farmers' clubs or women's groups. She said that the advancement of the status of women was a long and difficult matter, but her country felt proud at having taken the first steps.

136. Members of the Committee paid a tribute to the timely submission of the initial report and the comprehensive presentation provided by the government

representative. They commended the initiatives undertaken in the fields of education and rural extension programmes, the importance attached to women in agriculture, co-operatives and individual enterprises and congratulated the Government on having withdrawn its reservations. They said that the concepts of the Convention should be disseminated to the entire population of the country and that it was very important to include in the Constitution the phrase "regardless of sex" as a basis for the enjoyment of equal rights and freedoms for all persons and to adopt legislative measures to prohibit sexual discrimination. Members of the Committee asked why the Convention had never been invoked before the courts and what the social and political status of women and men had been before the country's accession to the Convention. A question referred to the matrilineal and patrilineal ethnic groups in the country, their geographical distribution and their size. Another question referred to the aspirations of Malawi women and their ideas about equality between women and men. It was also asked whether the Government would publicize the Convention and the work of the Committee.

137. In relation to article 2, several members raised questions referring to the National Commission for Women in Development (NCWD). They asked the nature of changes it had brought about, whether it was a governmental institution, the number and status of members it had, whether it had a separate budget, whether women were aware of its existence and its work and whether they were satisfied with its achievements. They inquired how successful the Legal Committee had been in disseminating information, and whether discriminatory practices could be punished by the courts. It was also asked whether women's organizations were active in the country and, if so, how they co-operated with the Commission and whether they were consulted in the preparation of the report. Clarification was sought about the discriminatory laws intended to be repealed.

138. More information was sought on how the Government's obligation under article 3 was being discharged.

139. It was asked whether the Government was undertaking temporary special measures pursuant to article 4, whether the target figure of 30 per cent for female students was correct, to which level of education that figure applied and why it was so low.

140. With reference to article 5, information was sought about what practical measures were being undertaken to change stereotypes, whether the withdrawal of the reservations was indicative of the elimination of traditional customs and practices and how school education was tackling that problem. Clarification was sought on the "woman's noble calling" referred to in the report. The efforts made by the Family Health and Welfare Committee were welcomed, and a question was asked about the rate of the incidence of violence against women.

141. On article 6, inquiries were made about effective proposals put forward by the Government to eliminate the exploitation of women and about government programmes to eliminate prostitution.

142. With regard to article 7, statistical data were requested, in particular, about the number of women ministers, the percentage of women in management and public administration and other traditional male fields and about the number of women's non-governmental organizations active in the advancement of the status of women. Questions were asked concerning whether quotas existed for women in local councils and in Parliament, the percentage of women who were members of women's organizations and the ratio of women to men in farmers' clubs. A question was

raised as to whether or not patrilineal ethnic groups were more hostile towards women's involvement in political life than matrilineal groups.

143. Under article 8, it was asked in what capacity and in what proportion women participated at international conferences.

144. An inquiry was made as to whether or not a mother could transmit her citizenship to her child pursuant to article 9 of the Convention.

145. More detailed statistical data were required under article 10, regarding whether the Government had considered developing further its educational system and whether the vocational guidance given to girls had yielded any particular results. Data were requested on the female school drop-out rates, on governmental efforts to counteract that phenomenon and on the response to those efforts. It was asked whether any government programme encouraged girls to enter educational areas reserved for men.

146. Regarding article 11, questions were raised on the status of unemployed women and on the percentage of women working in the agricultural sector as employees or in agricultural subsistence farming, whether women enjoyed the same rights in the public and in the private sector as men and whether the National Commission for Women in Development was looking into that question. Questions referred to the availability of child-care centres and the availability of maternity leave, to the type of diseases that prevented women from employment and whether AIDS was posing a problem.

147. On article 12, more details were asked on the results of family planning measures, whether information on family planning was widely available, whether contraceptives were distributed free of charge and whether child spacing could be decided by women alone, and the percentage of women who had recourse to sterilization. Members of the Committee inquired about efforts made to provide adequate nutrition to mothers, about maternal and infant mortality rates and about any food taboos for women in general, or for pregnant women in particular, and about traditional practices that could be harmful to mothers and children, whether pre-natal dispensaries existed only in governmental institutions and what the situation was in the private sector.

148. With reference to article 13, questions were asked regarding whether credits obtainable met the needs of women and whether the withdrawal of the reservations would improve the economic situation of women; and whether the National Commission for Women in Development was planning to undertake legal measures to protect women's rights under that article. It was noted that debts were usually contracted by men, but never needed to be endorsed by women. Information was sought about what the Government was doing to protect women from the phenomenon of "property-rushing" after the husband's death.

149. Under article 14, questions were asked regarding whether the integration of women in development also meant integration in the different sectors of the economy and also in employment, whether women and men were agreed on this issue and whether any tangible results were already being noticed. More information was requested on the 50 per cent quota in the block system for extension work in rural areas and how it was enforced.

150. On article 16, questions referred to legal measures to provide for maintenance and inheritance rights of spouses and children born within and outside of wedlock, to the statutory provisions governing the distribution of property in case of divorce and to the restrictive nature of the inheritance laws, and whether women had been made aware of their new rights and whether the laws were enacted to women's advantage. Members of the Committee asked how the double standard inherent in the civil law and customary law marriage systems was being managed, whether polygamy was permitted only for men, whether women could put an end to such a union and what reforms the Legal Committee had undertaken. Questions were asked about the minimum age of marriage, whether marriages between adolescents were being discouraged and whether data on the relative age at which marriages were contracted existed. The Government was urged to do away with the derogatory references of "bastards" for children born out of wedlock.

151. In replying to the questions raised by the members of the Committee, the representative of the Government of Malawi explained that the National Commission for Women in Development had been established in 1984 and had originally been a forum for decision-makers and governmental and non-governmental institutions for examining the situation of women, co-ordinating women's programmes and promoting greater awareness of their rights among women. The Commission had seven sub-committees, which were specialized in particular areas and had clearly defined terms of reference. Some of the major achievements were the granting of three months' paid maternity leave for female civil servants, the training of women in business skills and appropriate technology and the implementation of family life education projects.

152. Apart from the League of Malawi Women, several other women's organizations ran programmes to advance the social and economic welfare of women. There were currently no legal provisions for punishing discriminatory practices. However, a task of the Legal Committee was to identify any laws that might encourage discrimination so that they might be repealed.

153. As an explanation of how the Government implemented the stipulations of article 3, she said that the League of Malawi Women played a major role in the formulation of national policy and that through that body women were able to play leadership roles. The Government had taken several initiatives aimed at promoting the social advancement of women and the penal law guaranteed equality of opportunity to women and men. She mentioned several institutions that had established programmes to advance the participation of women in economic activity.

154. With regard to article 4, the representative said that the 30 per cent quota for women in education had been adopted as a temporary special measure to accelerate women's de facto equality as due to the limitations in existing educational facilities, there was tight competition for school places.

155. Turning to article 5, she said that the Government intended to ensure the speedy elimination of the traditional practices that had advised the reservation entered to the Convention. The most important way to work towards that goal was through the educational system, by offering, for instance, vocational training courses in areas which had traditionally been reserved for men. The mass media also played a role in that process. The phrase of "noble calling" used in the report, referred to the stereotyped image of the woman as a good housewife and mother of many children and was sought to be eliminated.

156. Regarding article 6, she said that one of the steps that the Government was undertaking to eliminate prostitution was to make it mandatory to pay specific minimum wages to women employed as waitresses and bartenders.

157. Under article 7, she enumerated several non-governmental organizations that had become active in women's affairs since the recent past and said that about 90 per cent of women belonged to women's organizations. Between 1983 and 1988 the membership of women in farmers' clubs had risen from 17 to 30 per cent. She provided some data on the participation of women in political life and said that there were no special quotas for women in local councils or Parliament. As a result of the existence of the League of Malawi Women, there was no difference between the patrilineal and matrilineal systems regarding the political participation of women.

158. Referring to article 8, she said, without giving detailed statistics, that women participated at all levels at international forums.

159. Turning to article 9, the representative said that a Malawi woman could transmit her nationality to her children.

160. Under article 10, she said that use was made of the media and of school counselling to influence behaviour patterns and as a consequence, more girls had started to enrol in non-traditional educational subjects.

161. Concerning article 11, she provided some data on women working in the agricultural sector and said that out of the total number of women working in agriculture, 85 per cent were in subsistence farming. Whereas three months' maternity leave was currently granted by the Government in the public sector, the private sector was not yet required to provide it. Both private and public sectors offered social services to their employees. Day care centres were, however, mostly owned by the Government or private individuals and were open to women working in the public and private sectors. She also said that no person was discriminated against in the field of employment on the grounds of suffering from any disease.

162. Turning to article 12, she said, in addressing the resistance to family planning, that the Government had opted to use the concept of child spacing to implement its population programme by providing mothers with information on how to space their children. Education, the media and the political party were used to disseminate information on the advantages of the child-spacing programme. The number of births per woman in Malawi was currently 7.5. Pregnant women were provided with the necessary nutrition, free of charge, by governmental health clinics. The infant mortality rate was 151 per 1,000 and the maternal mortality rate 16 per 1,000. Traditional practices that could affect the health of pregnant women were gradually dying out.

163. Referring to article 13, she said that the widow and the children were entitled to some share of the deceased husband's property depending on many factors, including the type of marriage contracted. The Legal Committee was currently trying to disseminate that law through the compilation of a booklet in English in simplified language and in the native language.

164. Turning to article 14, she explained the nature of the Block Extension System, which had been introduced in 1981, and under which 50 per cent of all farmers to be reached by extension workers would be women so that women had an equal chance with

men to receive agricultural education. In agriculture, women were engaged in small-scale farming in their own rights, and in commerce, women ran small businesses.

165. With regard to article 16, the representative said that polygamy existed and was accepted by both women and men, and it was expected to be eliminated through educating the people on its economic and social disadvantages. Teenage marriages were being discouraged through the educational system. Unmarried women who were pregnant or had a child could apply to the court so that the man alleged to be the father could be summoned to court for determining issues relating to paternity and maintenance of the child. A person contravening the ensuing order committed a criminal offence. She further stated that divorce laws varied according to the type of marriage contracted. She also spelled out the inheritance rights that applied in case of the death of a male head of the family. The various types of marriages had their own laws that governed them and respective instruments to regulate them.

166. While members of the Committee expressed admiration for the commitment of the Government to the aims of the Convention, they expressed the hope that many of the still existing problems be resolved and that the reservations be kept constantly under review with a view to withdrawing them.

United Kingdom of Great Britain and Northern Ireland

167. The Committee considered the initial report of the United Kingdom of Great Britain and Northern Ireland (CEDAW/C/5/Add.52 and Amend.1-4) at its 155th, 156th, 159th and 160th meetings, on 24 and 26 January 1990 (CEDAW/C/SR.155, 156, 159 and 160).

168. The representative of the United Kingdom, in introducing the report, stated the commitment of the Government to the rights set out in the Convention, to which it subscribed fully and of which it was conscious in terms of its international treaty obligations. The report had been prepared in 1987 and the introduction would present subsequent developments.

169. She noted that each government department was concerned with issues affecting women and that the main forum for co-ordination was the Ministerial Group on Women's Issues chaired by the Home Office Minister and including the ministers with policy responsibility for issues of special concern to women (e.g. health, employment and education). It had reviewed government policy in areas covered by the Forward-looking Strategies, co-ordinated government response to such issues as child care, public appointments and violence against women. It had also agreed on model instructions as the basis for departmental guidelines and organized senior staff seminars.

170. The second main body was the Equal Opportunities Commission (EOC) set up in 1975, which worked to eliminate discrimination and promote equal opportunity and reviewed the 1975 Sex Discrimination Act and had the power to conduct investigations, issue legally enforceable discrimination notices, assist individuals or bring its own cases. It consisted of 14 persons mostly part-time, with a full-time chairperson. A similar body existed in Northern Ireland.

171. To channel the input of non-governmental organizations (NGOs), a Women's National Commission had been set up in 1989 consisting of representatives from

50 women's NGOs with a joint chair consisting of one elected by the Commission and one minister nominated by the Prime Minister who represented the Commission on the Ministerial Group.

172. With regard to employment issues, the representative stated that the role of women in the economy had been recognized, public policy and economic growth had led to an increase in the number of women entering the economy, with 18 per cent more working full-time and 23 per cent more working part-time, as well as an increase in self-employed. More were gaining educational and vocational qualifications and entering non-traditional fields including medicine and dentistry, accounting, banking and finance. Women's remuneration was still only 76 per cent of men's on average and there were far too few women in top positions. However, demographic changes, especially the increase in the number of young women entering the labour force, would mean that women would constitute up to 90 per cent of the future growth of the labour force. The Government had begun a campaign to prepare women for re-entry, including public information programmes and the development of child-care grants to trainees. The Government was also taking steps to promote flexible working patterns in the public service, which some private sector employers were following. Particular attention was being given to child care, with a five-point plan being implemented from April 1989.

173. On women's health, she noted that the subject had been specifically assigned to a Minister at the Department of Health since 1989 and the issue had been debated publicly. New services targeted to women had been developed, including a recent concern with AIDS in women and with drug abuse, some of which involved funding programmes by voluntary organizations. Family planning services continued to be available, free of charge, under the National Health Service. Efforts were made to increase the proportion of women on the medical staff and 50 per cent of medical students were now women, although the distribution among specialties was still not balanced. Domestic violence was being considered in the context of a Home Office research study and a report from the Women's National Commission.

174. Education continued to be a focus for promotion of equal opportunities, which was a joint responsibility between national and local levels and the teaching profession. The Education Reform Act of 1988 sought to ensure a standard curriculum to prepare young people for adult life and to ensure that school activities were free of stereotyping and thus promoted equal opportunities. The standard curriculum through age 16 would mean that girls and boys were taught the same courses. Special initiatives have been made to make new technologies like microcomputers available and equally accessible and to encourage girls to study science and technology, the success of which was being reflected in examination results. Programmes existed to encourage mature students with domestic responsibilities to pursue higher education.

175. Under social security, successive changes in the law had made the system more equal. Some differences remained that favoured women, particularly those who were older and had not worked, but which would eventually become redundant. Other provisions protected pension rights of persons unable to work because of a need to care for dependants.

176. Efforts had also been made to achieve equality of opportunity in the civil service and public appointments, including a campaign to identify women candidates for public appointments.

177. Discussing the reservations made to the Convention, the representative noted that many were interpretative and all were being kept under constant review with a view to withdrawing them whenever possible. She noted that a new tax law coming into force in April 1990 would permit the United Kingdom to withdraw its reservation to article 13 and that the Employment Act of 1989 would eliminate most discriminatory legislation, although some occupations would still be prohibited if they would endanger the health of an unborn child. Equal pay was being improved through case law and family law had been modified to eliminate differential treatment of children born outside of marriage.

178. The Committee noted with concern the number and coverage of the reservations entered by the Government as they could contravene the objectives of the Convention. Several experts stated that the number and purpose of the reservations seemed to reflect the unilateral interpretations of the Convention. Clarification was requested of those reservations which were (a) interpretative, (b) likely to be withdrawn on the basis of changes in underlying legislation and (c) permanent. The question was asked whether the reservations were similar to those made on the human rights conventions and, if not, what differences might exist. On specific reservations, information was requested on the relationship of the Convention to national law in general reservation (a), whether reservation (b) was really necessary, and the meaning in reservation (c) of the reference to non-interference in the "affairs of religious denominations". The general reservation to article 2 that "essential and overriding conditions of economic policy" could invalidate provisions of the Convention was questioned since it implied that if the economy was not bouyant, then equality was sacrificed.

179. Further information was requested on the functioning of the national institutions, including the relationship of the Ministerial Committee to the preparation of legislation, the means by which women's activities were mainstreamed in the work of government departments, the size of the secretariat, including the budget of the Ministerial Committee and the Equal Opportunities Commission (EOC), on how the Women's National Commission related to the Ministerial Committee, including the rationalization of differences and the role of women's organizations generally in the effort to achieve equality.

180. Noting that the report covered the British Virgin Islands, the Turks and Caicos Islands and the Isle of Man, it was asked whether Monserrat and Anguilla were excluded because they were associated states. One member questioned the assumption of sovereignty over the Falkland Islands (Malvinas) in the light of international developments.

181. The amount of statistics presented in the report was noted and it was suggested that even more gender-based statistics would be helpful, particularly when figures were given only for women rather than comparing the relative situation of women with men. An absence of information about crimes committed by women (as opposed to committed against them) was noted. Integration of the statistics into the text of the report would have been helpful.

182. Regarding article 2, the number of cases heard by the courts under the 1975 Sex Discrimination Act was requested along with an appreciation of the extent to which women availed themselves of that remedy and it was asked what authorities other than the Equal Opportunities Commission (EOC) were empowered to apply sanctions for non-compliance. Details of the role of the Ministerial Group in co-ordinating and commenting on legislative proposals were requested.

183. Further details of the approach of the Government to temporary special measures under article 4 were requested.

184. Regarding article 5, issue was raised about the extent to which existing obscene publication laws could be extended to cover "degrading and insulting" publications, as well as the role of the Equal Opportunities Commission (EOC) in this matter and the extent to which it was felt that existing laws permitted control of pornography. In the context of self-regulation by the media, the percentage of women on governing bodies of mass media institutions as well as in media decision-making generally was requested together with an indication of whether any of the existing bodies performed a monitoring function and an appraisal of the results of the negotiations between the Media Action Group and the Advertising Council. The working of the Sex Discrimination Act with regard to job advertising was requested as well as the likelihood of any code on the portrayal of women in advertising. Information on the existence of any sociological studies on sex roles was requested, as well as the effect of having a woman head of government on the image of women.

185. The specific definition of what constituted "consent" in terms of rape legislation was requested in connection with article 6, noting that "reasonable belief" that a woman is consenting had been used as a defence in rape cases, with particular reference to the legislation of the British Virgin Islands. In addition, it was noted that only half of those prosecuted for the crime were convicted and the reasons for that queried, including what happened to those acquitted, the normal sentence imposed, whether follow-up support programmes for rape victims were provided by the Government, and what the normal composition was of juries in rape cases. More generally, on the question of violence, whether women's organizations could become parties to suits, whether there were cases where women refused to prosecute and the extent to which training in domestic violence was part of regular police training. With regard to prostitution, details on prosecution of those living from their proceeds was requested, including sanctions imposed, and also on the kinds of protection and counselling given to prostitutes, the extent to which there was evidence of trafficking in women from developing countries and government policies on that. Information on whether the revisions proposed by the Criminal Law Review Committee had been put into effect was requested.

186. Noting that little space had been given in the report to implementation of article 7, the question was raised about the paucity of women elected to parliament as the percentage was lower than the average for European countries, including the extent to which women candidates were allowed to run in "safe" districts. Information on the views of women's organizations on that question was requested as well as any measures being adopted by the political parties themselves. The specific proportion of women among government ministers was requested. Regarding public appointments, it was suggested that indirect discrimination might be indicated by the low percentage (7.7) and information on any positive measures to deal with it was requested. The proportion of women in the judiciary was requested as well as information about the prospects for women's upward mobility in public enterprises. Given the low percentage of women in public service (about which information was requested for the British Virgin Islands), it was asked which positions were restricted to men, what steps were being taken to improve the situation, including provision of child-care services to public employees and the functioning of the voluntary child-care scheme, also whether the new appraisal system was working to the advantage of women.

187. Concerning article 8, information on the types of joint postings of spouses in the foreign service was requested, including the nature of individual entitlements in a joint posting, the frequency of men accepting special unpaid leave status to accompany a spouse, the possible duration or frequency of such leave, and the effects on career and social security. Questions were asked about efforts to recruit more women into the foreign service and the time necessary to reach ambassadorial rank as well as the proportion of United Kingdom women in international organizations and their ranks.

188. On article 9, referring to the new Immigration Act, the question was raised whether discriminatory provisions on immigration had been eliminated in 1987 and if that would encourage the Government to withdraw the corresponding reservation. A differential treatment of male and female spouses of students was noted and it was asked whether the Government intended to change that practice. Questions were also asked about the position of migrant women in the United Kingdom.

189. Regarding education, in connection with article 10, the existence of both co-educational and single-sex institutions was noted and it was asked whether there were studies of the relative effects and reasons for the continuation of single-sex schools. Explanation of any differences between the practices of England and Wales in integrating girls in the schools from the practice operative in Scotland was requested. As it was noted that education was compulsory from age 5, information about the existence of nursery schools for younger ages was sought. Questions were raised about education for non-traditional subjects in terms of whether the recommendations of the Cockroft report on teaching of mathematics had been implemented, results of computer-literacy and other technological studies through single-sex groups and the role of the Department of Trade and Industry in encouraging that, as well as any other new means for encouraging women to take up those subjects. Clarification was requested on any information materials on positive action schemes that might be used by other countries. For the British Virgin Islands questions were raised about efforts to bring more students into school, including assisting girls forced to leave school for pregnancy and the relative percentage of illiterates.

190. Regarding article 11, it was noted that a major feature of economic policy was privatization and the question was asked about the existence of any studies on integration of women in the private sector. It was noted that the unemployment rate for women was lower than men and it was asked whether that was related to deregulation, whether that trend was also true for immigrant women, and whether separate statistics were kept on them. Since much of the 43 per cent participation in the labour market was due to part-time employment, the question was raised whether part-time employees had the same protection as full-time and whether that was related to factors such as enterprise size, and what the reason was for the lack of relative growth in the labour force of women since 1975. It was asked whether there had been any significant changes in the percentage of women considering careers in science and technological fields. Information was requested on measures to apply provisions of the Convention to the agriculture sector, which had been noted as being conservative in orientation. The importance of re-entry in the employment of women was noted and the question of how long a duration of absence was normal and whether it was decreasing was asked together with whether relevant statistics were maintained. Concerning legal protection of working women, it was asked whether full equality had been achieved in social security benefits, including a clarification of how pensions for persons caring for severely disabled people were administered, whether the ban on night work had been lifted, on

circumstances where a dismissal for pregnancy was illegal. Regarding women's unpaid work, figures on how many work in an unremunerated way in family enterprises were requested as well as information on methodological developments that would permit computation of the contribution of domestic work to the gross national product. It was noted that "lack of self-confidence" was given as a barrier to women's advancement in the economy and the question was asked regarding how extensive that was as a problem and what was being done. With regard to support to economic activity, information was requested on who had the main responsibility for providing child care, the state, the enterprise or the individual and the extent to which older persons relied on public services.

191. Concerning article 12, clarification was requested regarding practices of abortion, including whether the requirement of a recommendation by two doctors was contrary to the Convention's view of women's self-determination, whether there were any new laws under consideration, the position of women's organizations on the question, the number of clandestine abortions, the reasons for pregnancies in girls under 16 and whether abortion at that age required family permission, how often the advice of the two doctors was rejected, and who had to pay for abortion. It was asked how contraceptives were distributed and what it meant in practice that family planning services were obtained through general practitioners. With regard to AIDS, the higher death rate for women was noted and the reasons for that were requested. Information was requested on what happened to women whose health had been affected by violence and whether there were available any institutional services. In terms of immigrants, the existence of special programmes for health care of non-English-speaking migrant women was queried as well as the effect of the total ban on female circumcision, including information on who practised it and its real incidence.

192. The change in the tax law in conformity with article 13 was noted and it was asked whether a tax reduction of joint filers with only one income would act as an incentive to stay home, whether the reform implied had been controversial, whether the tax assessments would be completely separate, and whether, under open reception provisions, those changes would apply to the overseas territories.

193. Regarding article 14, information was requested on the outcome of work to fund rural transport, on the incidence and effect of rural enterprises headed by women and on job-creation programmes for rural women. For the Isle of Man, it was suggested that the problems of rural women would be difficult to solve there, and information was requested on the procedure of working through members of the House of Keys, on the role of the EOC and also on the extent to which residents co-operated with police in cases of domestic violence. Information was requested on the measures recommended by the National Commission of Women on the co-operation by the police in cases of domestic violence.

194. With regard to article 16, the extension of domestic violence legislation to co-habitees was noted and it was asked whether that would also be extended in the same way regarding property; similarly whether children born outside a marriage could inherit from their fathers and under what conditions. Concerning the British Virgin Islands and the Turks and Caicos Islands, it was asked whether those legislative changes were effective there through the open-reception provision. In view of the increase in families headed by women, the percentage of those families was requested as well as the extent to which they relied on support payments from former spouses or partners or on transfer payments and whether counselling was available to families. Concerning judicial separation rather than divorce, the

differences in legal status implied was requested, as was information on how property acquired during a marriage was divided at dissolution, including rights of non-working spouses and the extent of poverty among older women who had been divorced. As there were options in choosing a family name upon marrying, information on the proportion of choices made was requested.

195. The representative of the United Kingdom of Great Britain and Northern Ireland, in replying to questions raised, stated that where statistics disaggregated by gender had not been presented, an effort would be made to incorporate them into the second periodic report.

196. She stated that the number of reservations made should not be taken as a lack of commitment as they reflected the country's practice for all instruments in which detailed declarations of understanding were necessary when, in the view of the Government, the wording of the Convention was imprecise because ratification occurred only when the United Kingdom was in a position to implement it in domestic law. Where implementation was not possible, it was reflected in a reservation, kept under review with a view to withdrawal when possible. Organizations were not consulted on the reservations, but the intention to make them was made known during the debate on the Convention in Parliament and in any case were similar to those found in the Sex Discrimination Act of 1975. The reservations were not similar to those made on the International Covenant on Civil and Political Rights as the purposes of the Convention and the Covenant were somewhat different, but there was no inconsistency between the two sets of reservations.

197. The Ministerial Group on Women's Issues included as members 13 ministers, with the Home Office Minister as chair. The vice-chair was currently the Minister of Education who was also the co-chair of the Women's National Commission and as such reported the Commission's views even when they differed from those of the Government. As each ministry had its own specific responsibility, the Ministerial Group dealt with inter-departmental issues, based on the agenda drawn up by it, to which other ministries were invited as necessary. The secretariat of the Group was located in the Home Office, where it had been given new posts and extra staff. The Home Office responsibilities went beyond those found in the typical ministry of the interior as it retained a number of policy areas including that of equal opportunities for women and ethnic minorities. It made use of a network of officials in other ministries concerned with women's issues, including the Women's National Commission. One outcome was the model guidelines intended to raise awareness of *de facto* discrimination, which were widely disseminated.

198. The Equal Opportunities Commission (EOC) was a publicly funded non-governmental organization maintaining operational independence, both in Great Britain and Northern Ireland. The Home Secretary appointed commissioners for Great Britain and the Secretary of State for Northern Ireland for that territory. Both commissions reviewed equality legislation and submitted proposals for reform as a public document that could be used by any Member of Parliament to introduce legislation, although in practice the channel was the appropriate ministry. In 1988 the EOC for Great Britain proposed changes in law to cover private clubs and the number and coverage of offices was being considered for expansion.

199. Regarding article 2, employment cases were heard by industrial tribunals while non-employment cases were channelled through County or Sheriff Courts (according to the jurisdiction) and could be appealed. Legal aid was available. Historical statistics were not available but those for 1987-1988 revealed in Great Britain

1,043 equal pay claims in industrial tribunals plus 691 sex discrimination claims with varying results. A number of cases were also heard on appeal. Similarly in Northern Ireland, from 1976 to 1989, 55 equal pay and 157 sex discrimination cases were heard, also with varying results. The EOC itself had limited power to sanction in relation to systemic discrimination derived from its investigation powers, and they could be appealed in the courts, which bore the major responsibility for enforcing legislation. Complaints about education were referred to the Secretary of State for Education for investigation. However, in 1989 a Women's Legal Defence Fund was launched, with government support, to help more women to bring complaints under the legislation. Crimes committed by women differed somewhat from those by men and there were also differences between women and men in terms of processing in the legal and penal systems. There were efforts under way to study and remove those differences.

200. Positive action called for under article 4 existed but was restricted because the Sex Discrimination Act of 1975 prohibited any discrimination against women and men. But in order to allow special measures to encourage women to enter areas of non-traditional work, it permitted special access training for such work, targeted advertising and single-sex training for people returning to work after a period of discharging domestic responsibilities.

201. On article 5, the Government had supported tightening the Obscene Publications Act 1959 to cover material grossly offensive to a reasonable person, although the outcome would partly depend on a review of research evidence on the effects of pornography. The term "corrupt" as a test for obscenity was not defined in the act but the courts had held that it referred to the mind and the emotions as well as to any physical sexual activity. A major study on women in advertising was about to be published by the Advertising Standards Authority on the issue. The EOC's power to bring legal cases on advertising was limited, but it emphasized education, and films were reviewed by the British Board of Film Classification that would not classify films that breached the criminal law. Detailed information was not available on the percentage of women in the broadcasting authorities, which were independent and made their own judgements on content, although the British Broadcasting Corporation programme guidelines included guidance for procedures on the portrayal of women. EOC had taken cases to court on job advertisements and had produced leaflets. A number of sociological studies were regularly produced on attitudes towards gender equality.

202. Relating to article 6, sex education programmes in the schools were provided within the limits of the 1986 Education (No. 2) Act, which gave school authorities the responsibility for determining whether to provide it and if so within a clear moral framework. In funded schools the national curriculum on science required that pupils understood the process of reproduction in human beings and the need for a responsible attitude to sexual behaviour. On rape, the figures indicated an increase although that might reflect improved reporting. Efforts were being made to deter and reduce opportunities for such crimes. Women's organizations had no standing in rape trials, jurors were selected randomly and those found not guilty were acquitted. There were shelters receiving support from local-level authorities and a national rape counselling and research project had been funded centrally. In Scotland a circular of guidance had been issued to police to help them treat complaints of sexual assault tactfully and sympathetically. On prostitution, the Criminal Law Revision Committee had recommended combining current separate offences for men to three gender-neutral offences and other reforms had been proposed that were under consideration. There was no evidence of trafficking for prostitution, which would be illegal, and no figures existed on the extent of prostitution, nor

any rehabilitation programmes. The legal status of the husband of a prostitute living off her earnings was not clear.

203. Regarding article 7, a study had been published on 23 January 1990 entitled "Women at the Top", examining the barriers faced by women in public life. For Parliament, major party candidates were approved centrally and selected by the local party, but women had not put themselves forward as often as they might although that was increasing and there was a group that set themselves a target of getting over 300 members of Parliament (i.e. 50 per cent). In Parliament there currently were 41 women MPs (6.3 per cent), which explains why there were only 7 ministers out of 84 (8.3 per cent). No information was immediately available on the positive discrimination approach of the major political parties who, in any case, were in the selection process for the next election. In the public sector, among senior judges there were none in the highest appeals court, one in the next level, one High Court Judge, 17 Circuit Judges and 25 recorders, although that was expected to improve as more women entered lower levels of the judiciary and the legal profession. Over half of the law students currently were women, as were 43.8 per cent of magistrates. The Civil Service Action Programme begun in 1984 had had the effect of slow but steady improvement that was expected to accelerate during the next 10 years, as 46 per cent of new appointments in the mainstream management grades, 41 per cent of the new entrants in the fast stream administrative grades, among others, were women and improvements were beginning to be registered at the top levels. The proportion of Civil Servants working on a part-time or job-share basis was small but increasing, and efforts were being made to provide child-care and job-return services, as well as expansion in maternity benefits. Although women's promotion rates had been slower than men's, recent changes in seniority factors affecting promotion were expected to improve equality in that process; the appraisal system emphasized actual achievements and further work was expected on that aspect. The number of gender-restricted posts had been greatly reduced since 1986, leaving only the Royal Fleet Auxiliary and Royal Navy Supply Transport Services, the Scottish Prison Service and mining inspection as restricted posts. The percentage of women obtaining public appointments was rising, in part thanks to efforts encouraging women to put their names forward and guidelines had been issued to departments with a view to encouraging their selection.

204. On article 8, information was provided on steps to enable diplomatic couples to continue their foreign service careers by sending them to the same duty stations, often split between embassy, consular and mission functions, providing types of leave, including special leave without pay, which could be counted towards promotion. The operation of the Special Unpaid Leave programme was described and it was noted that efforts were being made to recruit women in the Diplomatic Service that had yielded a higher percentage of women recruited over the preceding four years, varying from 16 to 46 per cent. Figures were not available on United Kingdom women serving in international organizations.

205. Regarding article 9, all nationality and immigration provisions that might have discriminated against women had been eliminated. One rule continued to discriminate in favour of women in terms of the transmission of citizenship to children. The difference between having spouses of male and female students admitted was due to a need to restrict access of immigrants to the job market and was not being considered. In the time available, figures on the number of women refugees could not be obtained, although figures were presented on the total number of refugees.

206. Regarding article 10, about 45 per cent of three to four year olds currently attended funded schools and about 85 per cent participated in some organized educational or care provision. There was no policy in England and Wales to reduce single-sex education, nor was there any research on the effect of those schools, although EOC had sponsored some projects dealing with science and engineering that were being followed up, especially in the teaching of mathematics. There was a concern that teaching methods might have unintentional discrimination (the so-called "hidden curriculum") and that was being approached through teacher training. With regard to ethnic minorities, the national curriculum should help assure equal standards and access, but there might be a need to provide for specific needs of minorities in such areas as language training.

207. Concerning article 11, the high incidence of part-time work for women was partly caused by the fact that many women in the United Kingdom did not wish to work full-time in view of their family responsibilities and it was a question for which women should be able to exercise free choice. The Government was concerned that part-time jobs would be low-level and low-pay. The Civil Service was trying to set an example. Protection for part-time workers included coverage by equal pay and anti-discrimination legislation but entitlement to other protections depended on the number of hours worked per week and years of service. Contribution to social security was based on threshold earning levels rather than hours worked and some aspects were unrelated to remunerated work. On earning differentials, there had been a slight improvement in 1989, but that was affected by hours worked and thus reflected the part-time work phenomenon and lower seniority of women. Several major steps were taken to encourage girls' career choices away from traditional areas, including examination of curriculum, information programmes and specific training programmes designed with women's needs in mind. An effect of various programmes was the increase in the number of women in professional and related occupations in science, engineering, technology and similar fields (from 95,000 in 1985 to 108,000 in 1988). Studies had been done on women in the private sector, programmes to increase women's self-confidence and on women's re-entry to the job market, for which statistics were provided, indicating a more rapid return than previously after childbirth. The responsibility for child care was said to rest principally with the parents but employers had a part to play. Women's unemployment, like men's, had been falling, specific figures were not available on the rural informal sector and government policy was to reduce unemployment. Deregulation had impacted favourably on women's employment, minority women were less unemployed than minority men and all anti-discrimination measures applied equally to agricultural employment. Dismissal for pregnancy could be litigated under existing law. The EOC voluntary codes were considered to be working well, labour union membership was not a basis for job advertising and would gradually not be a requirement for hiring, but 32 per cent of trade union members were women and six unions were led by women. The relationship between drugs and employment had not been studied. Night work restrictions had been lifted; statistics on unpaid work in family enterprises were not immediately available and the value of domestic work in the gross domestic product was difficult to calculate. In terms of pension rights, the remaining gender differences were in the main favourable to women. The social security budget had increased over time in real terms, including funding of the National Health Services.

208. On article 12, abortion was generally permitted in only a limited number of circumstances when certified by two medical doctors, including threat to the mother's life, physical or mental health, the physical and mental health of existing children, probable abnormality in the foetus or emergencies. The issue

was considered to be a medical question but social factors were also taken into account. Figures on abortions referred to those that were effected legally and there were no figures on clandestine abortions. Although the medical profession believed the current law was working, opinion was divided among women's and other groups. Abortions were free when performed in National Health Service hospitals and while elsewhere there were charges, some financial aid sources existed. For girls under 16, abortion was possible without parental consent if the doctor agreed. Some statistical evidence existed of success in the reduction of deaths from illegal abortions. Family planning was free and some 70 per cent of women in the fertile age range used some form of contraception. It was available to those under 16 with parental consent or sometimes without. Studies were being made of the relationship between prostitution and AIDS but the main vector was thought to be drug users, of whom some were prostitutes. There was a number of local initiatives to prevent the spread of HIV and AIDS. Of those who had died from AIDS 10 per cent were women. Some efforts were made to meet the specific health needs of ethnic minorities, including use of languages, preparation of special material and special outreach programmes. The United Kingdom had made female circumcision illegal, but there had been no prosecutions under the Act with a reliance instead on education and information.

209. On personal taxation, regarding article 13, some 70 different organizations, including 12 women's organizations, had commented on the Government's Green Paper that had led to taxation reform. The new allowance for joint filing was not sufficiently large to encourage women to opt out of the workforce. A number of Sports Council initiatives to encourage wider participation were described and it was noted that women's participation in sport was a priority for the Sports Council's new campaign starting in 1988.

210. On article 14, programmes of rural transportation to ease economic participation were under way, but no gender figures were available on participation in rural development training.

211. Concerning article 16, judicial separation rather than divorce seemed to be chosen for a number of reasons, including when the marriage had been of short duration, when there were religious reasons or personal reasons. There were no differences in status when a judicial separation was used. There was no central information on the extent to which divorced women relied on maintenance from an ex-husband, but one third of divorced single mothers and two thirds of all single parents needed to rely on Income Support. The maintenance system was thus under review. Property division upon divorce was made by the courts based on a number of factors, with first consideration being given to the needs of the children. The basis for family breakdown according to the statistics were unreasonable behaviour, adultery and separation with consent. Those figures masked class and other factors and no clear judgement of causes of family breakdown were possible, although it was noted that the figures did not show that a greater number of marriages had broken down, merely that a greater number of divorces were taking place. A number of reforms were being considered, emphasizing conciliation. Programmes were available to older women who had not worked, including single parents, to endure re-entry, maintenance and child-care services, as well as aspects of the pension scheme. On how many women keep their own name at marriage, it was noted that naming was a matter of custom rather than law and therefore no statistics were kept. No particular term had been identified to refer to children born outside marriage, the law of inheritance did not discriminate against those children and under some circumstances a co-habitant could apply for benefits arising from the death of a

partner, but no effort had been made to extend maintenance and property distribution rights to co-habitants since that would be hard to determine and would, in any case, remove much of the significance of the institution of marriage.

212. Concerning the dependent territories, the United Kingdom had no doubt about its sovereignty over the Falkland Islands (Malvinas). Reporting had only been made on those dependent territories that had opted to ratify the Convention, which did not include Montserrat and Anguilla, and the remit of the EOC did not extend to those territories. Because of differences, the adjustment of law and practices to the Convention proceeded at a different pace in the territories. On specific points, regarding article 6, there were few cases of rape in the British Virgin Islands and prosecutions were difficult when the victims, often visitors, were unwilling to return for the trial, and there had been no cases of prostitution brought to court in 20 years. The proportion of women in the Government of the Turks and Caicos Islands was given. Regarding loss of education for pregnant girls in the territories, in the Isle of Man opportunities were offered to continue education, in Turks and Caicos a new system was being developed but no services were yet available in the British Virgin Islands. Third-level education was now available in the British Virgin Islands. Regarding maternity leave, new provisions had come into force in both Turks and Caicos and British Virgin Islands. The Finance Act of 1988 would not be extended to the territories as for different reasons there was no need. Information on other questions was not immediately available.

213. Members expressed the hope that the reservations made by the Government on various articles would be re-examined. Despite the evident progress, the general impression remained that more effort was required to achieve a better sharing of responsibilities at home.

Thailand

214. The Committee considered the initial report of Thailand (CEDAW/C/5/Add.51) at its 156th, 157th and 160th meetings, on 24, 25 and 26 January 1990 (CEDAW/C/SR.156, 157 and 160).

215. The representative of Thailand introduced the report, noting the Government's commitment to the advancement of women both as a matter of human rights and as essential to development. She noted that since 1988 the national machinery for the advancement of women had been a permanent National Commission on Women's Affairs with a secretariat in the Prime Minister's Office headed by a Minister. Its function was to submit policies and plans for the advancement of women, provide support to other agencies and to recommend new legislation or revision of existing legislation to the Prime Minister.

216. A number of national policies had been developed to implement advancement of women, including the sixth five-year plan (1987-1991) and the 20-year long-term women's development plan (1982-2001) that was expected to affect the five-year plans. Priority had been given to women and development in rural areas and urban slums, increased women's participation at the local level, promotion of co-operation between the public and private sectors, improvement in the national machinery, and to the encouragement of women's organizations. In addition, there had been an effort to develop indicators of basic needs and the establishment of targets. A number of legal changes were in process, including the establishment of

a special committee on the planning process to make proposals for the next development plan.

217. With regard to local laws and practices, the few laws that conflicted with the Convention were those covered by reservations. Many laws existed to implement the provisions of the Convention, some of which pre-dated it, including the Thai Constitution of 1978, which guaranteed equality between men and women, and a number of specific laws such as that providing universal primary education, as well as reforms of laws governing matrimonial property.

218. Regarding specific issues, it was noted that the situation of de facto discrimination was not good, reflecting past practices but indicating the need to go beyond merely legal measures. For that, both political will and resources were required. That was noticeable, for example, in wage differentials. A lower percentage of women candidates (2.7 per cent) were elected to the parliament than male candidates (10.7 per cent) in the most recent election, for a total of 2.8 per cent women in the lower house of Parliament. A better ratio of women to men was found among Thai nationals in international organizations. There was evidence of a breakdown in the family system because of the need of women to work in order to meet basic necessities and the pressures of the double burden of work and domestic responsibilities, with a consequent toll for children. Finally, the AIDS problem affected several special groups in society, although the main vector for AIDS spread was sharing of needles.

219. Thailand had made a number of reservations leading to gaps in realization of the Convention, which should be understood in the national socio-cultural setting which could not be solved before the ratification of the Convention by the Parliament. On article 7 the reservation related to exclusion of women from certain key military and administrative posts, especially the position of sub-district officer. The National Commission was working to reform part of the law by making the sub-district posts accessible to women. On article 9, the reservation was based on a fear that children of refugees and illegal immigrants born on Thai soil would benefit indiscriminately. There was some effort to make nationality pass bi-lineally. The reservation on article 10 was based on the fact that education in military institutions was restricted, although elsewhere equality had been achieved. Article 11, paragraph 1 (b), relating to the right to employment, had been reviewed and it was expected that the reservation would be withdrawn. The reservation on article 15, paragraph 3, was now in conflict with the law and would be withdrawn. The reservation on article 16 was based on existing laws and practices which fell short of the Convention, but were deep-seated and would require a step-by-step approach to modify. Finally, the reservation on article 29, paragraph 1, was the same as made by many States parties to international conventions.

220. For the future it was the intention of the Government to reduce some of the reservations to the Convention, deal with the issue of prostitution, including its decriminalization, take a preventive approach based on satisfying the basic needs of women and improve the legal basis for equality and to mainstream women's issues including the development and protection of the family system, for which the designation of 14 April as a national holiday to celebrate the family was one example.

221. The Committee indicated its concern over the number and extent of the reservations and, although the intention to keep them under review and begin

removing some of them was welcome, the reservations could serve to nullify key aspects of the Convention. It was noted that although the Government had acceded to the Convention, it had not, in its own terms ratified it because that required all national laws to be put in line. Nevertheless, some experts emphasized that the government was internationally obliged under the Convention in accordance with article 27 and article 15 of the Vienna Convention on the Law of Treaties. The question was asked about the significance of that and how soon internal ratification would be completed. The fact that the 1978 Thai Constitution did not make explicit reference to equality between men and women was noted and it was asked whether that was likely to be changed.

222. The progress achieved between the submission of the initial report and its presentation was noted, especially in terms of developing a national implementation machinery, as was the intention of the Government to use the Convention as a vehicle to promote change. More information was requested about the relationship between the long-term women's plan and the successive five-year plans. It was asked whether the Convention had been given publicity in the country and whether it had been translated into the Thai language and the role of women's organizations in seeking its implementation. It was noted that one reservation referred to national security laws, and the question was asked whether there were instances of "prisoners of conscience" and whether any of them were women. As another reservation was said to have been based on a concern about the nationality of refugees and migrants, information on the situation of refugee women in Thailand was requested.

223. Concerning the national machinery, it was noted that only two women's organizations were members of the National Women's Commission and the criteria for choosing them was requested as well as the criteria used to select the other 15 members appointed by the Prime Minister. Information was requested on the size of the budgets given to the Commission, its committees and its secretariat. The fact that improved statistical data would be coming from the work of the committee on the co-ordination of data was noted and further information was requested.

224. Concerning article 2, information on the main obstacles to putting the Convention into effect in domestic laws was requested as well as a further indication of those laws considered to be inconsistent with the Convention. It was noted that the age of consent for defining sexual aggression as a crime had been raised from 13 to 15, and the question was asked whether it was felt that raising the age would help protect women, whether sexual aggression against girls older than 15 was considered to be violence and whether there were policies to deal with it. As it was further noted that laws discriminating against the appointment of women into the judiciary had been repealed, the number of women who had become judges and public prosecutors was requested.

225. Regarding article 3, it was noted that in the 20-year plan a target of 30 per cent participation in leadership was set, and information was sought as to whether that was contradictory to the reservation on article 7, as well as whether there had been an evaluation of progress in implementation of the sixth five-year plan. Results of new legislation in reducing infant mortality and maternal health was requested as well as information about what was being done in that area.

226. Information on whether there were programmes to train teachers in human rights or other courses on human rights was requested in the context of article 5,

together with information on the effects of and reaction to the seminars noted in the report.

227. With regard to article 6, the reform of the 1960 Act on the Suppression of Prostitution was noted and information or statistics on the incidence of prostitution was requested as well as indications of the relationship of poverty to prostitution, the extent to which prostitution catered to Thai men or foreigners (in the context of "sex tourism"), the flow of Thai women to Europe for that purpose and the policies and recent actions of the Government on that question.

228. It was noted, with regard to article 7, that there were relatively fewer women candidates elected than male candidates; the reasons for that were requested as well as the basis on which members of the upper house of the Parliament were appointed and whether the Government or political parties intended to establish quotas. The extent to which women in Parliament supported the national machinery was asked as well as whether support was received from male parliamentarians. Concerning the public service, the nature of the work of sub-district officers was asked in terms of why it had been considered in the past that women could not qualify for those posts. The extent to which women's organizations supported the legal reform effort was requested as well as whether women's organizations had the same priorities as the Government and if not, the nature of differences.

229. More detailed information was requested on the implementation of article 8.

230. Regarding article 10, it was asked whether textbooks used in schools showed the role of modern women, as opposed to traditional roles. As it was noted that the reservation on the article was based on access to certain military institutions, it was asked whether the reservation was not inconsistent with article 35 of the 1978 Constitution and whether it was significant enough to justify a reservation on the article as a whole. It was further noted that there was a lack of equality in access to vocational education, and information was requested on the views and attitudes of women on the question and on the views and attitudes of teachers.

231. Regarding article 11, the fields in which women's employment had been concentrated was requested along with information on whether those areas were female-dominated. Information was requested on the extent to which action was being taken to deal with the problems mentioned in the five-year plan as well as with the obstacles noted in the report under items (c) through (f).

232. In terms of family planning in connection with article 12, information was requested on measures taken with regard to family planning, especially the two-child policy and on whether, rather than considering it as a woman's responsibility, steps were being taken to encourage men in family planning. A question was asked about how abortion was treated.

233. Concerning article 13, the absence of any description of problems relating to equality in bank lending was noted and it was asked whether that meant that there were no problems in that area, as well as the meaning of the statement in the report that "the family nexus acts as a form of social security".

234. On rural women, as specified in article 14, and in view of the predominance of women in the agricultural labour force, information was requested on land acquisition and inheritance practices as they affected women and the measures taken

to improve women's position in that respect, as well as information on what was known about households headed by women in the rural areas.

235. Regarding article 15, the fundamental nature of the reservation in terms of the implementation of the article was noted.

236. The complete reservation on article 16 was noted, and the question was asked whether women's movements were active in seeking to modify the civil code to bring it into line with the Convention, whether dowry practices still existed and the extent to which women were able to take action in the case of bigamy.

237. The representative of Thailand, in replying to questions raised, stated that traditional attitudes continued to impede elimination of de facto discrimination, much of which was a legacy of the past when equal opportunities did not exist, for example, in education. The Government, however, was committed to equality in both formal and non-formal education. She stated that the National Commission on Women's Affairs consisted of representatives of key government departments, representatives of two umbrella non-governmental organizations and individual experts drawn from both the governmental and non-governmental sectors. The Commission now gave priority to preparation of the next development plan and linking it with the 20-year long-term women's development plan. Concerning the Parliament, it was noted that whereas the lower house was elected, the upper house was appointed largely from high-ranking civil servants or the military, in which there were few women. For the lower house, a traditional attitude that women should not participate in politics had affected the number of women (10 of the 357 members), although all parties now welcomed female candidates. The women's plan contained targets for more women in legislative bodies but no quotas had been set. The women parliamentarians came from four parties and were enthusiastic about supporting women's development. Finally, the establishment of a national family day was considered a positive step.

238. In terms of the question about the status of the Convention, it was stated that Thailand had acceded to the Convention but had not ratified it, in terms of Thai domestic law, since that would have required approval by Parliament and adjustment of all domestic laws. For that reason, the Government had taken a cautious approach to the Convention and had entered reservations wherever the Convention had seemed to differ from domestic law or practice. It was necessary to convince people about the necessity to adjust law to the Convention and it was hoped that the views of the Committee would help do so. It was noted that the Convention was one of the few human rights instruments to which Thailand had acceded. Each reservation had its basis: article 7 because of certain reserved occupations, article 9 because in Thai law and practice nationality was passed on through the father; article 11, paragraph 1 (b), because of the law prohibiting night work, article 15, paragraph 3, because the law had been ambiguous, article 16 because the law did not meet the requirement of the Convention and article 29, paragraph 1, because of a sovereign State's right to decide who adjudicated disputes. However, it was likely that the reservations on articles 11 and 15 would be withdrawn in the light of domestic legislative changes.

239. On article 1, the definition of the word "discrimination" was still unclear in Thai law, as Thailand had no sex discrimination act to provide such a definition, although if it involved a violation of rights, the civil and political codes could be used to protect basic rights. Development of such a law was on the agenda for the future.

240. Concerning article 2, the 1974 Constitution had stipulated equality between men and women while the 1978 Constitution mentioned equality between persons, but was being interpreted broadly. It would be difficult to amend the Constitution to make the stipulation more explicit. In Thai practice, unlike in other countries, the Constitution did not confer rights directly, as they had to be seen in the light of an implementating law. The concept of national security was part of all rights and there was a question of how best to achieve a balance between national security and international human rights standards, a point which the Committee might wish to take up more generally.

241. Regarding article 3, the distinction between the five-year plans and the 20-year women's plan was that the five-year plans were general in approach and, although the fifth five-year plan (1982-1986) had had a specific section on women, the sixth plan had decided to maintain the issue of advancement of women as a transverse theme throughout the plan. The 20-year plan included numerical targets, many of which were now being included in the five-year plans. In terms of the amount of resources for women's activities, it was noted that the budget was organized by ministry rather than subject-matter and therefore no clear estimate was possible. It was stated that in regard to the work of government and non-governmental organizations, men as well as women were involved. Concerning some key statistics, it was noted that of 1,160 judges, 10 per cent were women and of 1,400 prosecutors, 6.9 per cent were women. Of heads of household, in 1986 some 19.2 per cent were women. Infant mortality had declined from 51.9 per 1,000 in 1979 to 41.3 per 1,000 in 1984. The literacy rate was 97 per cent, but 88.3 per cent of women had had only primary education. Participation in the labour force consisted of 75 per cent of men, 51 per cent of women, the largest portion in each case working in agriculture.

242. In terms of article 5, it was noted that efforts had been made to disseminate the Convention using seminars and mass media, but that that had reached mostly the urban areas. To reach the rural areas, other techniques were required, including translating the provisions of the Convention into ideas understandable to the average woman, incorporation of legal education into other training and development of programmes as a follow-up to training.

243. Concerning article 6, prostitution was illegal and in the informal sector and accordingly there were no official statistics. It was related to poverty and therefore combating it required dealing with the root causes of rural-urban and international migration. It was also necessary to distinguish between forced and voluntary prostitution and to have measures appropriate to each. Laws were difficult to enforce, did not affect the consumer and the Government was more favourable to a social approach emphasizing rehabilitation measures. With regard to the connection between prostitution and tourism, government policy did not support the connection, but there was a need to convince the private sector. It was also noted that there was a conception of the problem on the part of some countries and that had led to the unfair treatment of Thai women seeking visas or crossing borders and that called for a more balanced approach by other countries.

244. Regarding article 7, the government structure built up from the village level, the sub-district, the district and then central. Before 1982 women were not allowed to be village or sub-district chiefs but there were now a small number. Women were still prohibited from being sub-district officers but the National Commission on Women's Affairs was reappraising that policy and there were signs of change in the works.

245. Regarding article 10 on education, the same opportunities existed for men and women in education and anomalies only existed in some institutions reflecting stereotypes, although the Ministry of Education was making efforts to change them. There was a need to broaden non-formal education and the commitment of the Government was reflected in the fact that a world education conference would be held in Thailand in March 1990. Sex education programmes existed and the rise of AIDS had helped develop interest in it. Human rights education was available at the university level, including women's rights, and was integrated into primary and secondary level teaching, although there was a tendency to emphasize duties rather than rights. Women's studies programmes were provided at the university level.

246. On article 11, there were differences between law and practice in equal employment. Social security was provided to a limited extent in cases primarily connected with occupation-related disability. It was expected that the extended family system would provide social security, although it was noted that that system was breaking down in some respects. The problem rested in the relative roles of the family and the State as the cost involved was already too high for the State to assume more responsibility. There were some efforts to increase the availability of paid maternity and paternal leave, but that in large measure would depend on the individual enterprises themselves.

247. In relation to article 12, family planning existed but there were still some attitudes that tended to place the responsibility for contraception exclusively on women, attitudes that were being combated through education. Abortion was illegal except for threats to the woman's health or when pregnancy was a consequence of sexual assault. There had been proposals by non-governmental organizations to broaden the law to cover potential foetal deformity, economic and social factors and failure of contraception, but there were differences of opinion on that among different groups. In regard to violence, the law was clear that rape was a criminal offence. In the 1987 law reform, the legal age of consent, for the purpose of culpability, had been raised to 15.

248. On articles 13 and 15, women had equal contractual status with men, including the grant of bank loans. Some governmental agencies and non-governmental organizations were providing loans specifically to women's groups to foster women's small-scale enterprises, although credit was still not sufficiently accessible. There was still a need to reach the private sector for that.

249. Concerning article 16, the law did not favour bigamy, but it was vague. The sole legal penalty was a minor penalty for perjury when a person tried to register a bigamous marriage. There had been efforts to change the law, but that had not passed, having been defeated by a small margin.

250. In general, on refugee women, it was explained that Thailand had not acceded to the International Refugee Convention and the issue concerned asylum-seekers, about 60 per cent of whom were women and children, largely Indochinese. Under the law, asylum-seekers were considered to be illegal immigrants with duties rather than rights. Policy, however, was to bend the law for humanitarian considerations, with emphasis on screening, under the rule of first asylum. Those found to be legitimate refugees were allowed to stay temporarily while awaiting third-country placement, and were not repatriated. The issue was both sensitive and complex.

251. Several members expressed concern about the view expressed by the representative of the Government concerning the relationship between the concept of national security and the rights of women.

Peru

252. The Committee considered the initial report of Peru (CEDAW/C/5/Add.60) at its 163rd and 166th meetings, on 30 and 31 January 1990 (CEDAW/C/SR.163 and 166).

253. The representative of Peru, introducing the report, recalled international efforts to overcome discrimination and achieve the full participation of women but that that had taken place in the context of economic difficulty relating to development. His country had had to cope with a difficult development problem but had given particular attention to improving the status of women. Peru supported the Convention for Peru's Constitution provided in article 2 that women and men had equal rights under the law. Under Peruvian jurisprudence, the Convention would prevail over national law should there be a conflict. Different cultures and values existed in Peru and the report reflected that diversity. For that reason, elimination of discrimination against women called for a special effort.

254. Regarding women in political life, women constituted 5.5 per cent of the lower house of parliament and 4.8 per cent of the senate, there were three ministers and many other women in high positions in the public service, including one of the four under-secretaries-general in the diplomatic service. He noted that in the forthcoming elections, there were many female candidates who had decided to run despite the threats and danger that that decision implied for them.

255. He further said that the *de facto* situation of women fell short of the expectations of the Convention, although the Government was making efforts to achieve equality. The economic situation of the country, in the face of the debt crisis, the impact of drug trafficking and terrorism had all combined to restrict the country's capabilities and the understanding of the international community of that situation was necessary, and the elimination of discrimination against women would be possible only if the developed countries co-operated to help eradicate poverty and violence.

256. He further stated that after the general description of the country, the report described constitutional provisions as well as the civil code. It then examined issues relating to the family, including issues of status, property and divorce. It examined representation in elected offices. It noted gaps in legislation concerning women's participation in the labour market. It described assistance in the health area to vulnerable groups, which had not succeeded as expected. Regarding rural women, the report emphasized the absence of protective measures and the use of agricultural co-operatives.

257. He stated that the questions posed by the Committee would be particularly useful in helping to prepare the second periodic report. The initial report reflected the Government's commitment to the elimination of discrimination against women, but was not intended to justify what had not been achieved.

258. On general issues, the Committee requested information on the extent to which the Convention had been disseminated in the country and on measures taken to eliminate discriminatory laws that continued to exist in the legal codes. Further

information was requested on the type of governmental or inter-ministerial mechanisms that had been developed in order to promote equal rights and co-ordinate government efforts for the advancement of women, especially in the light of the elimination of the National Committee of Peruvian Women that had been established in 1976. The importance was noted to activate the Convention in those movements of social and economic crisis and as legal element of the defence of the rights of women in Peru.

259. Regarding article 2, it was noted that information had reached the Committee from non-governmental organizations indicating possible violations of human rights of women under detention and being made by the Government to combat terrorism in the country. A confirmation of the truth of those reports was requested along with the measures being taken by the Government to remedy that situation. In addition, information was requested about the intention of the Government to establish a national machinery for the advancement of women and of efforts to adjust legislation to eliminate discrimination, especially about any laws that discriminated against indigenous women.

260. Concerning article 4, information on the extent to which temporary special measures were being used in the fields of education and work was requested.

261. Questions were asked about the extent to which traditional structures impeded the progress of women, in the context of article 5, and how far the Government utilized the mass media and other methods of information dissemination to make women aware of the Constitution or other laws favouring them, especially women in the rural areas. Information on the extent to which men shared in domestic work was requested.

262. With reference to prostitution, in terms of article 6, information on the extent of the problem, its relation to poverty and measures taken to deal with the problem, including the use of health cards, was requested.

263. With regard to article 7, information on the extent to which women voted, particularly in relation to their proportion in the population, was requested as well as on any impediments to that, such as illiteracy. It was noted that women seemed conspicuously absent from the formulation of government policy, and information on measures to increase their participation in decision-making was requested, as was data on the proportion of women who were candidates for parliament in relation to those elected. Questions were asked about the size of the women's movement, including the housewife committees and mothers' clubs, and their use as the vehicle for extending the literacy, political, health and education programmes.

264. Questions were asked concerning the legal basis for the transfer of nationality within the meaning of article 9, whether that discriminated against women and any measures to eliminate discrimination against women in terms of article 10.

265. Concerning employment and article 11, information on the extent to which equal pay for work of equal value was applied in law and practice, as well as any positive legislation to ensure equality in employment was requested, together with information about whether protective provisions of the law might lead to discrimination against women, legal protection for domestic workers and whether Peru was a party to ILO Conventions.

266. Regarding article 12, information was requested on the legal provisions relating to abortion, the number of clandestine abortions and the extent to which women had access to family planning programmes and to public health services, especially maternal and child health and in the rural areas. It was asked whether the rates of infant and maternal mortality had decreased.

267. Information about steps taken to remove discriminatory laws about contracts was requested within the context of article 13.

268. With reference to women in the rural areas, under article 14, it was asked whether women were recognized as heads of family for the purpose of land tenure and whether they had equal access to loans, training and extension services. In addition, information was requested about the effect on rural women of illiteracy as well as the role of women's clubs in the rural area; and, further, whether there were special programmes both to solve the problems of rural women and protect them during any civil strife.

269. With regard to article 15, clarification was requested about the National Population Policy and particularly the meaning of the phrase "responsible paternity".

270. On article 16, questions were asked about the basis for the differential minimum age of marriage between women and men and particularly its lowering. A question was also asked about the regulation of adoption, particularly international adoption. The legal status of de facto families (consensual unions) was requested, as well as the incidence and trends of those unions, whether adultery, as a ground for divorce, was treated differentially for women and men. Information about the extent of violence against women was requested.

271. In response to the questions, the representative of the Government of Peru reiterated that the report ought to be seen in the national context where the country was suffering a grave economic crisis, arising from problems of the external debt burden that had significantly reduced the resources available for development, a continuing problem of terrorism and civil strife and a continuing problem with drug trafficking. The lack of resources had, for example, made it impossible for the report to have been presented by one of the specialists concerned with the issue since travel funds had not been available.

272. Concerning general issues as well as those raised under article 2, he stated that in terms of legal norms the Constitution provided for equality and the Convention also had direct standing in domestic law, but that the Constitution was more recent than many of the laws in the Civil, Criminal and Commercial Codes which, therefore, often contained legal provisions contrary to the Constitution and the Convention. Those codes had not yet been reviewed, but the legal norm, enforced by the country's courts, was for any law contrary to the Constitution to be considered null and void. In terms of national machinery, it had been decided to disband the National Council of Peruvian Women and replace it with a decentralized structure with women's units in the various ministries, which, regrettably, could boast of scant resources. There was an emerging consciousness of the need for a central body, a view held by all political parties, and as a result, changes were expected after the forthcoming elections. He noted that terrorism had inflicted a major toll of deaths, primarily among the rural poor, including men, women and children. The Government had not condoned violations of human rights and, indeed, had ratified all human rights Conventions. Whenever any

allegation of violations of human rights had been levelled, investigatory commissions had been established and there had been instances of civil penalties for those in the military or civil authorities found to have engaged in such practices. Regarding dissemination of information about the Convention, however, he noted that the scarcity of resources had dictated that other priorities had to be followed.

273. Concerning prostitution, with regard to article 6, it was stated that it had a social basis related to the socio-economic situation of women in which there was a lack of employment opportunities. It was difficult to change that situation through laws, although laws existed, for example, to punish the prostitution of minors. Solution to the problem was only possible through changing the root causes.

274. On article 7, the fact that women participated in the electorate in a lower proportion relative to their numerical strength in the population was acknowledged, but it was also noted that there had been increased participation recently deriving from women's increasing participation in work and in the trade unions. There were, however, no data on differences between the voting pattern of women and men since no figures were kept, although it could be noted that in the most recent election over 70 per cent of the eligible electorate in general had participated.

275. Regarding article 8, the representative stated that there had been efforts to increase the proportion of women in the diplomatic service and the representation of women was among the highest in the Latin American region, including offices at the top levels of the foreign ministry.

276. On the issue of nationality, under article 9, it was noted that in Peru the principle of both jus solis and jus sangini applied to determine nationality and, accordingly, there was no difference between women and men, as Peruvian citizens could pass nationality to their children through their registration.

277. Regarding education and article 10, it was stated that under the Constitution, 10 per cent of the public budget must be allocated to education. Universal primary education was a goal and out of a population of 20 million in 1985, 7.7 million were students, 80 per cent of them in free, State-funded institutions. There had been an average annual growth of 4.8 per cent in matriculation and one effect had been a decline by 1987 of illiteracy to 13 per cent of the population from a figure of 60 per cent at an earlier time.

278. In response to questions on article 11, it was stated that the legal structure did not permit inequality in the workplace, but there was considerable de facto discrimination due to attitudes and customs and, although some measures had been taken, the problem persisted. Some special efforts had been undertaken to help women within the context of the economic crisis, including a programme to support temporary work through public works in which 76 per cent of the participants were women, direct support in the form of comedores populares most of whose members were women, and joint artesanal workshops, as well as a programme to provide subsidized foods.

279. Concerning article 12, the representative stated that abortions were legal only to protect the life of the woman, and there was a high number of clandestine abortions. In terms of family planning, the general population law referred to responsible paternity in the sense of an equal responsibility for both women and men, and family planning had been added to secondary school curriculum, but there

were no programmes to make contraceptive devices available. The effect of the general lack of resources to provide health services could be seen in the return of incidences of tuberculosis, a disease that had almost disappeared in the 1970s.

280. With reference to rural women and article 14, it was noted that much of rural property was collectively held and women were among those permitted to obtain land under the system. The development of mothers' clubs, a self-help initiative of women themselves, which involved multiple economic efforts by women, had been a major development. Under the regionalization policy, representatives of mothers' clubs were included by law in regional assemblies.

281. The existence of violence in the family, in terms of article 16, was acknowledged but it was stated that all violence was a crime but that violence inflicted by a family member was regarded more seriously and punished accordingly. There was a body in Peru entrusted with the responsibility referring to the national and international adoption procedures.

282. The Committee acknowledged the economic difficulties faced by Peru, but noted that it was particularly at times of national stress that women's strengths were needed and in that context, the importance of women's self-help movements and solidarity was stressed, both for the achievement of equal rights and of national development. In view of the constraints in providing detailed answers and information, it was decided to request the representative of the Government to transmit the Committee's questions to the appropriate national authorities who would in turn send answers to the Committee through the Committee's secretariat in Vienna.

283. The Committee noted that the report, while reflecting the difficult situation, had been prepared from a feminist perspective. It noted the scarcity of resources to implement programmes and that, when the economic and political situation improved, there would be the possibility to address the recommendations and concerns of the Committee.

Turkey

284. The Committee considered the initial report of Turkey (CEDAW/C/5/Add.46 and Amend.1) at its 161st and 165th meetings, on 29 and 31 January 1990 (CEDAW/C/SR.161 and 165).

285. Introducing her country's report, the representative of the Government said that discrimination against women still persisted in many countries of the world, and also in Turkey. The equality of women and men had received official recognition early in history due to the foresight of Mustafa Kemal Atatürk, and a series of reforms were introduced subsequently to bring women nearer to the goal of equality. She said that under the Constitution there should be no discrimination of any kind, the social structure was free-flowing and democratic and indeed more laws discriminated in favour of women than against them. She also said that in the western parts of the country, women generally shared a position of equality, whereas in the east, old, stereotyped roles of women in the society persisted.

286. An issue that adversely affected the position of women in Turkey was the population growth and the country was making great efforts to make the entire population family planning conscious. Accordingly, many non-governmental organizations were active and successful in supplying women and children with

protective medical care, including contraceptives. Consequently, the rate of increase of the population was gradually slowing down. A national machinery for women's issues had been set up in 1987 and another department responsible for family affairs had recently been installed. Following the launching of a literacy campaign in 1980, the illiteracy figures dropped in absolute and relative terms, with the percentage of girl students who completed schooling on the increase.

287. Although there was no discrimination between men and women in employment, only very few women held top-level jobs as a result of the lower educational level of the average woman and of less vocational training received by women. There were very few female members of Parliament, but for the first time in history, there was a woman minister, the Minister of Labour and Social Security. In the armed forces women could participate only in the educational and administrative spheres but were not allowed to hold the post of district governor.

288. She said that maternity and child health services were free of charge and that the husband could take three days of paid leave at the time of the birth of his child. With regard to the reservations placed on articles 15 and 16 of the Convention, she said that as a result of steps taken by various women's organizations and the mass media, a committee had been set up in the Parliament to review the Civil Law and she hoped that all reservations would be withdrawn before the submission of the second periodic report.

289. Members of the Committee commended the Government of Turkey for acceding to the Convention in 1985 and submitting the report in timely fashion in 1987. In congratulating the distinguished representative for her presentation, it was noted that the report was frank and attempted to state clearly the situation of women in Turkey. In their general comments, members of the Committee noted the discrepancy between the provisions of the Constitution and the reservations made in respect of articles 15 and 16 of the Convention with regard to certain provisions in Turkish Civil Law that were contradictory to the stipulations of the Convention. They asked about the prospects of withdrawing the reservations and also about any proposals for changing the Civil Law and expressed the hope that Turkish Family Law would soon be changed. Members formed the impression that Turkish women were not supported by a strong commitment of the Government in their struggle for equality. They asked of the role of non-governmental organizations and whether they had been involved in preparing the report. Clearer information was required about the different status of urban and rural women and about the needs of rural women in the education and health sectors. Questions were asked about the fields in which women had recorded greater advancement than men and what was meant by the "ideal" equality between the rights of women and men. Members, while applauding the reforms introduced by Mustafa Kemal Atatürk, noted that the current Constitution constituted a step backwards. Commenting on the fact that women were scarcely visible in the streets in Turkey, members asked whether the reason was that Turkish women were not too active in society or whether it was prohibited or dangerous for Turkish women to walk around outside the house. They also asked about the sort of problems women encountered as a result of the social structure for women in the fields of education and employment. They also asked about the implications of the recently emerging fundamentalist movement for women in the fields of education.

290. With regard to article 2, it was noted that the report did not contain any reference to mechanisms for monitoring the implementation of the principle of equality between women and men, and requested further information on the national machinery, its staff and budget. Members also asked whether the review of women's

rights was going in a negative or positive direction and felt that the comment that "discrimination was foreign to the Turkish temperament" was not appropriate, and that that remark, as well as the remark that the low number of women in high-level posts was to be explained by the "poverty of desire" showed a tendency to put the responsibility for the lack of equality on women themselves. However, such an explanation would not be accepted by the members, and it was not enough to explain the lack of concern for women's rights by merely linguistic reasons. It was also asked whether research was made on the status of women and which were the points that disturbed the equality between the two sexes. With reference to the fact that women prisoners had allegedly been subjected to torture and rape, inquiries were made as to whether Turkish women had the same access to legal aid as men.

291. Regarding article 3, it was asked what prevented women from being appointed as governors and whether women's organizations had a political influence. Clarification was sought as to whether the Convention could be invoked in civil and legal concerns and what the Government was doing to ensure equal rights of women.

292. The meagre information with reference to article 4 was noted, and it was asked whether the Government envisaged adopting temporary special measures. Members inquired whether specific targets were set in the fields of education, health, female participation in politics and in the employment sector.

293. On article 5, information was requested on measures to modify cultural patterns to eliminate prejudice and values which assigned stereotyped roles to women. It was asked whether the women's movements were active in that respect. Their reports in that respect provided contradictory data on the advancement opf women, accepting stereotyped attitudes as being positive. With reference to the modest professional aspirations of married women, it was asked whether the Government was satisfied with that situation and whether women and men should not rather adopt equal responsibilities in the family.

294. Concerning article 6, members asked how prostitution was regulated, the percentage of Turkish women engaging in prostitution and whether rehabilitation of prostitute minors was envisaged and whether the prostitution of minors was given any specific legal treatment. Comments were made on the low penalty for rape arising from prostitution. A question was asked to ascertain the attitude of the public in that respect and whether there were plans by the Government to amend that legal provision.

295. Under article 7, members asked what was being done to raise the number of women in Parliament and in politics generally, why the proposal for a quota system was not received favourably, and for statistical data on the number of women in the health, legal, banking, higher administrative and business fields, and as government employees and also about the participation of women in trade unions. Questions were asked why the percentage of women members of Parliament had decreased drastically since 1935 and whether the quota of 10 per cent for women in the judiciary was accurate. If so, whether such a low quota was compatible with the concept of equality.

296. With regard to article 8, more detailed information was requested on women in the diplomatic service.

297. Concerning article 9, members inquired whether Turkish women married to aliens transmit their citizenship to their children.

298. Regarding article 10, members noticed a segregation in secondary education and asked whether fathers who cut short the education of their daughters were punishable and whether the low minimum age of marriage did not constitute a handicap to girls in the education and employment fields. Several questions referred to the high rate of illiteracy and to the reasons for the disparity between women and men concerning literacy programmes. It was asked whether the literacy rate was any different for urban and for rural women and what the situation was concerning minority groups. Members requested a breakdown by gender and percentage of youths in public and in private schools. Questions were asked as to whether co-education was obligatory, whether efforts were being made to change the stereotyped image of women and men in school textbooks, what "the travelling women's courses" meant, the subjects covered by the educational television programmes and why only a few girls sat for the competitive examinations to enter the universities. Further information on the centres for applied arts was requested. Members enquired whether sex education was part of the school curricula and whether girls were encouraged to follow non-traditional careers. It was asked whether the high percentage of the female students in the field of mass communication and the media would find appropriate jobs in order to contribute to a change of the role of women in society. Members inquired also whether the Convention and its aspirations were being publicized.

299. Under article 11, information on comparative data on salaries of women and men in urban and rural areas and further clarification on the social security system were requested. Questions were asked about the extent to which women utilized their maternity leave, whether they could return to the same job afterwards and whether parental leave existed, whether there were training programmes for women who interrupted their paid work, whether women could undertake part-time employment, whether they received unemployment compensation and as to the rate of unemployment. Clarification was sought on the data given in the report on the overall wage-earning labour force. Further information was requested on migrant women workers, on the number of women who worked in the tourist sector and on the voluntary insurance of housewives. Members asked how the problem of sexual harassment was dealt with, whether hidden discrimination in employment still existed and how the rule of equal pay for equal work was enforced both in the public and in the private sector. It was asked whether women were hesitant to take their children to nurseries.

300. Experts inquired whether girls received training and professional guidance, whether single women had the same rights in the employment sector as married women and whether married women needed their husbands' consent for doing outside work, and if done without the husband's agreement, whether that constituted a ground for divorce. Comments were made on the early age of retirement for women. It was asked whether housewives were automatically covered by their husbands' social security protection and the percentage of women and men not covered by any social security system. Members inquired whether the Government was making any efforts on a bilateral basis to improve the situation of migrant workers and whether it offered special programmes to young women who migrated back to their country of origin after having received special knowledge and skills in their countries of migration. It was asked whether certain types of work were prohibited for women because of health or any other implications.

301. With reference to article 12, members sought clarification on the situation concerning abortion and inquired about the number of family planning centres, the way in which knowledge about family planning was disseminated and whether women had

access to family planning services without their husbands' consent. Population and related statistics indicating the number of births per woman were sought. It was asked whether there was legislation concerning violence against women and shelters for battered women.

302. With regard to article 13, members asked how access of women to bank loans was being guaranteed.

303. Turning to article 14, members requested more information on rural women, they requested the percentage working in rural enterprises, whether such women received social security benefits, literacy training, and whether they were reached by extension workers. Other questions referred to the number of women in the carpet weaving industry, their income and social security coverage and the age at which girls started work in that industry. It was asked whether men remained the decision makers in the family, even after their migration to the cities.

304. Members noted that the reservations expressed by Turkey in respect of articles 15 and 16 reflected the extent to which discrimination still existed in those areas. Under article 15, the questions referred to freedom of movement for the woman, the choice of domicile, the possibility to travel inside the country and abroad without her father's or husband's consent.

305. Under article 16, it was noted that the reports made no mention of the family and household duties of fathers. Further details were requested about de facto unions, the grounds for divorce for women and for men, the rate of divorce and the inheritance rights of girls compared to those of boys. Members took the view that a revision of the family code with respect to the choice of the married woman's family name would be most appropriate.

306. In replying to questions raised by members of the Committee, the representative of Turkey emphasized the importance her country attached to the Convention and its determination to implement its provisions. Women's organizations, the mass media and public opinion were at times working as pressure groups on the political parties. Currently, the country was undergoing transformation through rapid urbanization, industrialization and modernization and the gradual introduction of the nuclear family. The urban women benefited to a greater extent from those changes, whereas, on the other hand, the general problem of unemployment heightened also the dimension of unemployment for women.

307. Non-governmental organizations had been informally consulted while the country report was being prepared. She noted that in Turkey, as in other countries, there was a fundamentalist movement, but their political impact was minimal. The main concern was with women in rural areas and the eradication of traditional social and economic differences prevailing in those areas. Women's associations and the mass media strongly supported literacy and family planning campaigns in rural regions and paid special attention to girls and families who migrated from rural to urban areas. She said that the statement that only a few women were visible in the streets was incorrect.

308. Turning to comments made under article 2, she said that the Constitution and several other laws were all based on the principle of equality. Although the status of women in Turkey was not entirely satisfactory, women themselves were not responsible for that situation. However, through various organizations, women had started to make their voice heard, which was a first positive sign. With regard to

detained women, there was no discriminatory treatment between women and men. She said that the State Planning Organization encompassed the national machinery that had been set up in 1987 to deal with all questions regarding women. It consisted of presidents of several women's associations, representatives of various ministries and universities and worked centrally. It was consulted in the preparation of the most recent five-year plan.

309. Referring to questions raised under article 3, she said that the rule that prevented women from being appointed as governors was a remnant of the past and there was a strong tendency to change that rule. Although women's groups worked as pressure groups, their pressure was not strong enough to affect political decisions.

310. The concept of "ideal equality" referred to complete and full equality between men and women and measures were being taken to recruit more women in certain professions.

311. Turning to article 5, she stated that Turkish women gave priority to their functions as wives and mothers as a result of prevailing traditions. However, special instructive television programmes were geared towards the elimination of prejudices and customs and most men of the present generation considered life as a joint venture and assisted their wives in household duties.

312. Referring to article 6, she said that under the Penal Code the reduction of the penalty for raping a prostitute was accurate and that the court decision had created enormous reactions by women in all strata and by the mass media.

313. Turning to article 7, she said that only six women were members of Parliament and there was only one woman minister. No quota had been introduced so far in party administration or on electoral lists, and only recently one party introduced a 25 per cent quota for party bodies at all levels. In December 1989, women constituted 21.20 per cent of lawyers, 12.06 per cent in the judiciary, 31.66 per cent of physicians, 40.22 of pharmacists and 34 per cent of the teaching staff in universities.

314. Regarding article 8, she stated that 11.54 per cent of the career diplomats were women and 24.69 per cent of the high-level jobs in administration were held by women, amongst whom one with the rank of Ambassador. Turkish women also played an active role in international organizations and conferences.

315. Referring to article 9, she said that mothers as well as fathers could transmit their citizenship to their children.

316. Turning to article 10, the representative said that primary schooling was compulsory for boys and girls and legal sanctions were foreseen against parents who withdrew their children from school. She provided detailed statistics on the percentages and number of girls and boys enrolled in primary and secondary level schools of various types during the years 1985 and 1986. Co-education applied to all school levels and she explained that customs, culture and the perception of the role of women determined the choice of girls for certain studies and professions. She said that no discrimination existed in the competitive examinations for entering university education. She said further that an increasing percentage of women was moving into the field of mass communications. There was also a great demand for women students in the field of performing arts. Throughout the country, campaigns which were supported by radio and television programmes had been launched

to improve the literacy rate of women and one of the reasons for the higher literacy rate of men was that they learned to read and write during the obligatory military service. Finally, she said that sex education had not yet become part of school curricula.

317. Referring to questions raised under article 11, the representative said that 64.6 per cent of men and 35.4 per cent of women took part in the paid labour force, most of whom worked in farming and agriculture. She indicated the percentages of women who did unpaid work in the agricultural sector and said that neither women nor men in rural areas were covered by social security benefits. However, they could take out voluntary insurance under the self-employed workers' insurance system. Neither women nor men were covered by unemployment insurance. About 62 per cent of the population was covered by social security benefits, and about 65 per cent of all wage earners were members of trade unions. The minimum age of retirement was 50 for women and 55 for men. University teaching staff retired at the age of 67. Fathers were entitled to three days' paid leave during the child's birth, and women could take up to three years of unpaid leave after childbirth without losing their jobs. Child care facilities also existed. The rule of equal pay for equal work was ensured under the law. The income of a wife was taxed separately and labour legislation applied equally to men and women. Not many complaints for sexual harassment of women at the work place had been received.

318. As a result of internal and external migration, women had to face many socio-cultural problems and women who returned from their country of migration found jobs appropriate to their knowledge and skills, most of them in the tourist sector. Special schools had been set up for children returning from abroad and 40 per cent of the girls who migrated back wanted to continue their higher education.

319. Turning to article 12, she said that family planning services had started in 1965, and family planning services were provided mainly by the Ministry of Health and Social Welfare in co-operation with the mass media and non-governmental organizations. In 1988, there were 128 family planning centres. Abortion was allowed up to the tenth week of pregnancy, and the rate of birth was 2.99 per cent. In big cities, shelters for battered wives and free legal advice were provided.

320. No difference between women and men existed regarding the access to bank loans.

321. Referring to article 14, she said that a small proportion of unpaid family workers were working in the carpet weaving industry, but she could not provide exact figures. In case of the emigration of husbands, the wives became heads of households.

322. Under article 15, she stated that women did not need their husbands' permission to travel.

323. Turning to article 16, she said that the minimum age for marriage for girls was 14, that inheritance rights were the same for girls and boys and that taking up employment against the will of the husband was not considered as a ground for divorce. She then enumerated the grounds for divorce as stipulated by law and said that pursuant to an amendment to the Family Code the woman had the right of choosing her name. She strongly hoped that the reservations placed on articles 15 and 16 would be withdrawn before the submission of the second periodic report.

324. Members of the Committee thanked the representative of Turkey for her great efforts in providing the additional information, statistics and figures in such a short time, and for her replies, which brought about a clearer picture of women regarding the articles of the Convention, they expressed their hope that the subsequent report would adhere closely to the general guidelines, that it would contain detailed statistical data and more information on the status of women in rural areas, on the progress made in employment and in secondary education and on decisions taken by the Legal Reform Committee.

2. Second periodic reports

325. According to the procedures applied by the Committee for consideration of second and subsequent periodic reports, issues and questions which should be discussed with the representatives of the States parties presenting a report have been identified in advance by a pre-session working group.

326. The issues and questions agreed by the Committee were forwarded to the five reporting States on Thursday, 25 January 1990. In the accompanying letter, the representatives of the States parties have been informed that the lists are not exhaustive and do not prevent members of the Committee from posing further questions in the course of the dialogue with the representatives.

Ukrainian Soviet Socialist Republic

327. The Committee considered the second periodic report of the Ukrainian Soviet Socialist Republic (CEDAW/C/13/Add.8 and Amend.1) at its 162nd meeting on 30 January 1990 (CEDAW/C/SR.162).

328. The representative of the Ukrainian Soviet Socialist Republic stated, in response to a question about why the second periodic report had begun with article 7, that the report was intended to update information based on developments subsequent to the initial report and that there had been no substantial change in the information under the earlier articles. The information contained in the second periodic report and, particularly, in the amendment to it, showed the effects of the vigorous renewal of society implied by *perestroika* and *glasnost*. The critical analysis that was part of that process had identified a number of problems for women requiring solution, including the situation of employment of women, women's work-load, the division of labour in the home between women and men and the related problem of underdevelopment in the necessary elements of the social infrastructure, and the participation of women in decision-making. Of particular importance was the probable effect of the process of economic reform on women.

329. The representative noted that as part of its reconsideration of the role of the International Court of Justice, the Government had in March 1989 withdrawn its reservation to article 29, paragraph 1, of the Convention.

330. In response to a question on the changes in the status of women that had taken place as a result of *perestroika* and *glasnost*, the representative stated that the major achievement was a change in the socio-political atmosphere of the country, both at the all-Union and republic levels, as a result of the election of peoples' deputies, the active role now being played by the Supreme Soviet in developing legislation that aimed at creating a state of law. There had been increasing democratization at the republic and local levels and elections in the republic

would be held on 4 March 1990 on the basis of a new law. On the basis of that law, the new Parliament of the Republic would not have quotas for public organizations and although those organizations, including the Communist Party, could nominate candidates, voting was by district. In addition, a new all-Union law governing relations between the centre and the republics substantially expanded the rights of the Union Republics. The main issue was the radical economic reform to make the economy more responsive and, although it had not had the intended effect, as shown by the unbalanced market and shortages of goods, it was expected to increase the output of consumer goods and services.

331. Among the major developments for women at the Union level was the establishment of national machinery for the advancement of women, consisting of a committee of the Supreme Soviet and the new Department of Women's Affairs, Family Protection and Motherhood in the Council of Ministers. Similar changes were expected at the republic level after the forthcoming election. A second development was that, as a result of changes whereby enterprise managers were elected by work collectives, the proportion of women managers had increased and was 26 per cent of the total, ranging from 70 per cent in communications to 28 per cent in services and 23 per cent in industry. A number of enterprises, having shifted to cost-accounting, had more resources available for social benefits and improving maternity leave provisions. A solution to the food problem was being promoted by the development of the co-operative movement, family brigades and later, perhaps, family-owned farms; corresponding changes in the law were also under consideration. Housing was being expanded with a view to assuring, that by the year 2000, each family owned a separate apartment or house. There were efforts under way to convert defence industries to civilian production and initial efforts had dealt with the production of medical equipment. A demographic decline had been noted, prompting action to deal with a sharp fall in the birth rate, which was now below a level necessary to replace the population. Decentralization in foreign economic relations, which had come about when Ukrainian enterprises were allowed direct access to their partners abroad, had led to the establishment of joint ventures producing goods in high demand. There was an increased understanding and improvement in international relations, including peoples' diplomacy of which women were a part, and an increase in the involvement of non-State organizations in charitable work. Finally, many hospitals and clinics previously reserved for government functionaries had been turned into facilities for children.

332. A question was posed about the problems women faced and the conditions that needed improving. In reply, it was noted that 92 per cent of women who could work or study did so. There were imbalances in employment in the sense that many women worked in hazardous occupations, on night shifts or other disadvantageous conditions. There were divergences in practice from the principle of equal pay for equal work since, although the principle was set in law, comparisons across individual economic sectors showed male to female wages to be in the ratio of 3:2. Women's high educational qualifications were not matched by their participation in decision-making, a fact that reflected the lack of professional training caused by the need to maintain the double burden. Measures being taken to correct that imbalance included special training programmes, evening and correspondence courses. The underlying problem was the lack of sharing of domestic responsibilities as women, on the average, were engaged in domestic work two to two and a half times more than men. Given the inadequate social infrastructure and lingering outmoded attitudes and stereotypes, women had to choose between a home and a career.

333. Regarding the Committee's question on violence against women and measures taken in that regard by the Government, it was noted that all forms of violence were punishable by law under the criminal code, including such crimes as illegal abortions, sexual assaults and rape, which was considered very serious and was punishable by 3 to 15 years in prison or worse. The Government was taking measures against all forms of crime, but the crime situation was alarming and 730 acts of violence against women had been recorded in 1989. There had been insufficient preventive work among persons with prior records.

334. Concerning a question about the problem of women abandoning their children to orphanages in order to enable them to pursue their careers and about the causes of that problem, the representative stated that some 70,000 children were orphaned or left without care, of which 34,000 remained in institutions. They included children born out of wedlock, children of alcoholics and some - very few - abandoned by their mothers. Besides family placement, new approaches were being sought.

335. On article 2, regarding a series of questions dealing with how women could use the courts to find remedies for discrimination, it was stated that full equality was set out in the Constitution and, additionally, there were benefits set out in the labour code. In terms of cases of discrimination in labour relations, recourse could be had to the courts and legal assistance was provided, among others, through the public prosecutor's office and from trade unions and workers' councils. Although the basis for litigation was legislation adopted by the republic itself, the provisions of the Convention could also be used.

336. Regarding the jurisdiction and structure of the committees and commissions on the status of women established in the republic and the Union, the representative stated that the Standing Commission on Women, Motherhood and Children had been established in 1976 with functions deriving from the Constitution, including preparation of State policy affecting women's daily life and draft legislation, considering draft plans to ascertain their effect on women and to review regulations from individual ministries on their effect on women's daily life, as well as the consideration of complaints from individual women. Recommendations of the commission had to be considered by the appropriate organization. The commission had an elected chair and vice-chair and consisted of 33 deputies, both women and men.

337. On the Committee's question about the incidence of prostitution in the light of article 6, it was stated that it was not a widespread problem. In the 1920s, prostitution had been a reflection of poverty; in the present, it was undertaken for profit. The Government believed in dealing with it as a social problem, like alcoholism, with an emphasis on education and rehabilitation. Criminal penalties existed for cases of promoting prostitution of minors and maintaining a house of prostitution. In 1989, 152 people had been prosecuted for prostitution.

338. Concerning changes in the number and participation of women in the legislative bodies at various levels since the initial report, it was noted that measures to promote women's participation had to be linked with social protection. In practice, there had been no substantive changes in the level of participation, and the proportion was the same (36 per cent) at the level of the Supreme Soviet, but there had been qualitative improvement and a number of women occupied high posts, including the Chair of the Presidium of the Supreme Soviet. About one third of the members of the Communist Party were women and on the Central Committee, women made

up about 10 per cent, at oblast level secretaries, 7 per cent, and one woman was a member of the Politburo. At the 27th Party Congress, 27.2 per cent of the delegates were women. Women participated in a wide range of activities, going beyond those that were traditionally women's preserve, and occupied many posts, although there were some spheres of competence where women were particularly involved. With regard to a question about whether women deputies could be nominated through the Ukrainian Republic Women's Council or whether they could present themselves as candidates in other ways, it was explained that the new law on people's deputies specified equal rights of both women and men and accordingly women could be nominated by the Women's Council, or from their place of work or their place of residence.

339. More information concerning the functioning of the Department of Affairs of Women at the Republic-wide level and the proposed national machinery was requested by the Committee and in response, it was noted that the policy was to improve the efficiency of the State machinery and for that reason, the Union-level Department on Women, Family Protection and Children had been created based on comments by people's deputies. It was expected to enhance women's participation. Although there was currently no equivalent in the Ukrainian SSR, it was believed that one might be considered following the forthcoming republic elections.

340. Concerning questions about the characteristics of the system of women's councils, it was stated that they were public organizations of women in their place of work or residence. The 27th Party Congress in 1986 had adopted measures to strengthen their traditional role as advocates for women's advancement. There were 57,000 councils (of which 24,000 were in labour collectives) and the membership at all levels included 500,000 women. The councils conducted seminars, created consciousness, participated in drafting legislation, helped liaise with the government bodies. They dealt with population policy through special programmes, and participated with other institutions.

341. Referring to a question under article 8 on the specific number, proportions and levels of women representing the Republic in international forums, the representative stated that 40 per cent of the members of delegations to other socialist countries on questions of economic co-operation were women, as well as 21.4 per cent of such delegations to Western countries, 4.2 per cent of delegations to international organizations and 10 per cent of the persons sent to work in the secretariats of international organizations.

342. A question about the areas in which there had been an increase in the percentage of women in institutions of higher education, relevant to article 10, was answered by noting that there had been no change from the previous report, although there had been a slight increase in the percentage of male students in teacher training and that was considered a positive development as the teaching profession had been considerably feminized. Regarding several questions about sex stereotyping in textbooks and curricula and the existence of sex education, it was stated that a reform of the education system was under way, including an expansion of the rights of individual schools and their students to select textbooks. The curricula of both primary and secondary schools included material on the family and sharing of responsibilities and efforts were being made to re-orient teachers with a view to eradicating outmoded stereotypes. Responding to a question about why there had been an increase in college students with families, it was noted that the legal age for marriage was 18 for men and 17 for women and that there was a tendency towards earlier marriage, which was related to a more open view of sexual

relations and improved social protection for married students, for whom housing was provided.

343. A series of questions on articles 10 and 11 dealt with the Government's approach to women's employment and the educational requisites for it in the context of perestroika. In quantitative terms, women were well represented in all fields of study as well as branches of the economy. A qualitative assessment based on studies suggested that workers' collectives in which there were both women and men were more effective than those having only one sex. The State could use both administrative measures and economic incentives to press for policies of equality. It was noted that a number of fields like the food or textile industries were feminized, but the re-equipping of the textile industry, for example, was leading to a slight increase in the number of men. Health and education were also feminized, but efforts were being made to recruit more male doctors and teachers and it had been noted that an increase in the pay to doctors attracted more men to medicine. Among school directors, women predominated at the primary level and made up 40 per cent at secondary levels. Participation of women in vocational training was high and more women were entering fields like metallurgy and engineering. Restructuring of enterprises was expected to lead to more women in higher positions, but to achieve that, there was still a need to provide social support to women so as to eliminate the double burden. That has been helped by the high representation of women in the Supreme Soviet.

344. Concerning equal pay, in connection with article 11, the representative stated that there had been a general increase in wages over the past several years; some predominantly female fields especially had seen wages rise, and salary scales in all fields were being reviewed. On occupational safety, it was noted that it was government policy to improve working conditions. With regard to the repercussions of government policy to reduce drastically the number of women working in manual labour or in jobs involving harmful working conditions, it was stated that plans were being put into effect. Steps had been taken to ensure that women kept their pay while being retrained or relocated. The advice of trade unions and women's councils on those matters was sought and taken into account. On child-care, including the question of who takes care of children who cannot find places in child-care institutions, it was noted that there was a broad network of pre-schools, especially in urban areas, but that in rural areas only 45 per cent of the needs had been met. Extended paid leave would help. All mothers had the right to maternity and child-care leave. Moreover, as state and collective farms switched to self-financing, they would be able to provide child-care from their own resources. When there were not enough places, other means had to be found, including having the mother work at home, obtaining the help of a relative (like the grandmother) or with help from the women's council.

345. In response to a question about the relatively high infant mortality rate, in relation to article 12, it was stated that new facilities for child health were being developed and, with better facilities and services, infant mortality was decreasing. Outreach health service programmes were designed to help improve services for families and to help protect women. Special efforts had been undertaken in the wake of the Chernobyl disaster, including relocation of people away from contaminated areas, provision of preventive services for children, efforts to ensure uncontaminated food and water supplies and other measures. On the question of abortion, it was noted that they were legal when performed in a medical institution under a doctor's supervision, but that it was illegal to force a woman to have an abortion against her will. The figures on abortions were: 1985 - 1,345,475; 1986 - 1,166,039; 1987 - 1,068,000; and 1988 - 733,000.

346. With regard to article 13, on women's economic rights, it was stated that women had equal rights with men. There was a slight difference in that the age for legal marriage was lower for girls than for boys, although local authorities could lower either by one year.

347. A general decline in the size of the rural population was noted in response to a question under article 14 about whether rural women had the same access to health care as urban women. The population plan sought to raise the birth rate and there were efforts to increase the medical services available in rural areas. Construction of new clinics, however, was behind schedule and collective and State farms were investing in health services and infrastructure.

348. A question was posed under article 16 about the legal position of couples living in consensual unions and in reply it was stated that the code on marriage defined that on the basis of formal registration, but that, for children born outside of formal marriage, when family relations could be shown to exist and there was a voluntary recognition of paternity, consensual unions did receive some recognition. Concerning the high divorce rate, it was stated that there had been a sharp drop in family stability and some 36 per cent of marriages ended in divorce, although that seemed to be declining recently. There were some 1.5 million children in those families. The survey undertaken by the Soviet Women's Committee had identified male alcoholism, infidelity, lack of sharing in domestic responsibilities, problems in daily life and lack of mutual understanding as reasons for divorce. Efforts were made to reconcile, but some 96 per cent of the separation cases ended in divorce. A higher proportion of divorced men than divorced women remarried.

349. Members noted the comprehensiveness and frankness of the introduction to the report, hoping that with the advent of glasnost and perestroika, many changes would take place, including those leading to a greater participation by women in political and decision-making. Concern was expressed that economic restructuring could lead to a reduction in essential services, like child-care facilities, and might mean that women would pay the larger cost for the restructuring.

Mexico

350. The Committee considered the second periodic report of Mexico (CEDAW/C/131/Add.10 and Amend.1) at its 163rd meeting on 30 January 1990 (CEDAW/C/SR.163).

351. In introducing the second periodic report and responding to questions posed by members of the Committee, the representative of Mexico stated that her Government's aim was to ensure the full integration of women in social life and for the first time the Development Plan 1989-1994 contained a special section about the participation of women. The Government had made special efforts to obtain information on the status of women and to work on family planning. The implementation of the Convention was closely related to the persistence of poverty. She said that the Government would carry out a national census in 1990 in order to obtain a clearer picture of the progress made, and for the first time, the contribution of women would be taken into account. None the less, obstacles persisted that were hard to overcome in addition to the most serious economic crisis that the country had been undergoing since the Second World War and which made it more difficult to meet the country's commitments under the Convention. Aware of the most acute social problems, the Government had launched an ambitious

National Solidarity Programme to improve the living conditions of the most needy groups of the population.

352. Replying first to the general questions, namely the extent to which women had recourse to the courts to enforce their rights, she said that women and men were equal before the law and had the same rights of recourse. Regarding the functions of the Secretariat on the Status of Women established in 1987, she explained that it was a government office of the State of Guerrero to promote the rights of women and she outlined its objectives. Concerning the problem of domestic violence, she informed the members of a programme of social and family integration and legal assistance that dealt with cases of domestic violence and said further that many women's associations were involved in the matter and various institutions had been set up to help women in despair. Women's awareness in the matter had also been raised.

353. Regarding activities to publicize the Convention, she said that the contents of the Convention had been disseminated through publications and seminars and, as the bicentenary of the Declaration of Human Rights coincided with the Convention's tenth anniversary, the latter event had been used to give publicity to both instruments. The United Nations information kit on the Convention was widely distributed and various other events were organized.

354. Among the legal measures that had been adopted since the time of the initial report, she mentioned the reform of the Civil Code in the Federal District concerning the recognition of women's rights in cases of voluntary divorce, the regulation concerning donations among spouses, a clear definition of the conjugal domicile and the setting up of government agencies dealing with sex-related crimes. A follow-up to the 1982 National Demographic Survey that would give a clearer picture of the progress made would be the census planned for 1990. She also stated that no further obstacles than those already identified in the two reports prevented progress in the advancement of women.

355. Referring to questions raised under article 2, she explained that the results of the survey carried out in the first half of 1983 showed that the demographic trends of the female population were the same as those for the total population, the economic participation of women had been rising, the illiteracy rate in 1980 was 16.7 per cent for men and 20.6 per cent for women. The crucial problem, however, was the high rate of female drop-outs from school. There were vast regional differences concerning the levels of health and social well-being of women, and some of the further problems that affected women were related to disablement, prostitution, alcoholism and drug addiction. She stated further that the National Commission for Women had been set up in 1985 as a pressure group to watch over the implementation of statutory rights of women in the fields of employment, health and family law.

356. The Government had not taken any temporary special measures within the framework of article 4.

357. Turning to article 5, she said that information campaigns through the mass media had been carried out to stress the role of women in the family, the need for joint responsibility of all family members, and to fight against the drop-out of girls from school. The Government was revising school textbooks and providing adult education programmes and was trying to modify socio-cultural patterns of conduct of men and women in order to create a better understanding of the role of

women as workers and mothers. Although the progress in changing the socio-cultural patterns in the mass media was slow, there was growing awareness of the need for change.

358. Among the programmes to support women who were victims of rape, she mentioned a service that gave assistance to persons in need, the initiation of a revision of the relevant laws, the setting up, in 1989, of agencies, which were staffed with specially selected social workers and operated 24 hours a day and all year round and were located next to the criminal investigation offices. Those agencies helped women victims to lodge their complaints. With regard to the question whether religion or customs constituted an obstacle to the advancement of women, she said that there were beliefs that hindered the legalization of abortion. However, women were split into two camps on issues about abortion, which still remained an issue of conscience.

359. She said that she could not provide any data concerning the rate of prostitution, but the problem was being tackled by a 1989 reform of related legal provisions.

360. Turning to article 7, she said that there had been an increase in women's political participation since the initial report. There were a number of strong women's associations and some political parties were also dealing with the issue. The earthquake in Mexico City had led to a resurgence of new women's organizations. However, although the number of women in Parliament had increased, there was no increase in proportion. There was a marked rise of women in intermediate governmental levels, but not so much at the top levels. The same applied to the political parties. She also said that the Development Plan 1989-1994 envisaged the full integration of women in national development.

361. Referring to article 10, she said that sex education was provided through school textbooks in public and private schools at the primary and secondary levels and in community programmes, labour programmes and among other groups. The freely available textbooks had been revised to reflect equality between the sexes. Since the initial report, specific school programmes had been set up for the indigenous population. The reasons for the lesser representation of women at higher economic levels were very complex and were related to the still-prevailing prejudices and customs. There were also certain regional differences.

362. Turning to article 11, she said that one of the major effects of the economic crisis on the work of women and men was their accelerated entry into the labour market. Concerning the question as to who was included in the female economically active population, she said that so far only the formal remunerated employment of women had been taken into consideration in the national accounts. The national survey in 1990 would, for the first time, give a clearer picture of the informal sector. Women's rights in the field of health were protected in all sectors of the economy, but it was more difficult to implement that stipulation in isolated communities. She emphasized that the labour laws applied to all citizens irrespective of sex. Regarding the unemployment rate, she said that it was 1.5 to 2 per cent higher for women than for men, but that the overall rate was declining.

363. Regarding questions raised under article 12, she said that abortion was prohibited, except in certain circumstances, such as when it arose from rape, if the foetus was malformed or for reasons related to the health of the mother. There was only one special office that dealt with the consequences of rape. She also

said that it was practically impossible to estimate the number of abortions, the magnitude could only be inferred from the abortion-related complications. Since 1975, the family planning programme had been intensified and was integrated in the overall health programmes, and information had been disseminated to couples about how to regulate the number and spacing of their children. It was difficult to provide precise figures on the number of births per woman as not all childbirths took place in maternity clinics.

364. Referring to questions regarding the incidence of acquired immunodeficiency syndrome (AIDS), she said that 422 cases had been reported in women mostly between 25 and 44 years old mainly due to blood transfusions. Concerning a question as to whether health coverage was available only to the employed sector of the population, she stated that health legislation applied to all citizens. Since the initial report there had been a 20 per cent decline in the mortality rate of children. As for the principal causes of death and diseases of women, they were mainly cervical, uterine and breast cancer.

365. Regarding questions raised by members of the Committee under article 13, it was stated that no law made any distinction on the grounds of sex regarding the access to bank loans, mortgages and other forms of financial credit.

366. Replying to a question concerning article 14, the representative said that the remaining most acute problems faced by rural women since the initial report were, as stated in the report, the population explosion, the demand for land and the shortcoming in producers' organizations. Rural women had the same access to family planning services as urban women, but it was more difficult to set them up in rural areas. Sustained efforts were also being made to provide agricultural training services to women in rural areas, and under the 1971 Agrarian Reform Law, farm workers over 16 years old, irrespective of their sex or age, if married, were eligible to obtain plots of land. In case of divorce, women could keep possession of such land. Women in rural areas were allowed to be associated with farms and industries set up in the Agricultural Industrial Unit.

367. Concerning a question on the legal protection for women who were living in _de facto_ relationships, she replied that provided that the parties had lived together for at least five years and were not married to anyone else, both parties had a right to inheritance and succession.

368. Members of the Committee noted a very positive difference between the initial and the second periodic report in that the latter provided a lot of information not only on the _de jure_, but also on the _de facto_ situation of women. They noted the frankness in the replies given and the commitment of the Government to women's issues and raised some additional questions. To the question as to whether the value of women's work carried out in their homes was taken into account by the courts in case of dispute about property during a divorce, the representative replied that it was of great concern to many women's organizations that women's work done in the household had not received proper recognition. To another question concerning the lack of specialized training programmes for women, she replied that the Government was putting strong emphasis on women's training programmes, especially in the informal sector. Regarding one comment that it might be more appropriate to structure the report according to the different regions, she said that it was up to the Committee to amend its guidelines accordingly.

369. Members requested more detailed information in the subsequent report on the informal sector, on the percentage of women living in poverty and on actions taken by trade unions for the benefit of women. On the question as to what the impact of the Convention had been on the status of women in the country, the representative stated that the Convention had certainly had an impact, but from the governmental standpoint, it was difficult to measure it. Special seminars and courses had been devoted to women's issues, but she had no concrete information on the activities taken by non-governmental organizations and women's movements as a result of the Convention. Concern was expressed that mass media might not be doing enough in trying to change the stereotyped ideas about women. The representative also stated that much more needed to be done to ensure the interaction between meeting the needs arising out of the economic crises and the fulfilment of the objectives arising out of the Convention.

Mongolia

370. The Committee considered the second periodic report of Mongolia (CEDAW/C/13/Add.7) at its 164th meeting, on 31 January 1990 (CEDAW/C/SR.164).

371. The representative of Mongolia introduced the second report by noting that it had been prepared in 1986 and circulated in 1987. In the intervening three years there had been major changes in the country in connection with perestroika which began with economic reform in 1987 and had subsequently been extended to other areas. Restructuring aimed at bringing socialism to a new stage and to shift to a more humane-centred development, including changing from command methods of administration to economic ones. There had been resistance to restructuring and the process had brought to the forefront many unresolved social problems, especially in terms of the working and living conditions of the rural population in terms of services and infrastructure.

372. There were also unresolved problems concerned with the exercise of equality by women, who constituted both half of the population and the workforce and 40 per cent of the specialists with higher education. Although de jure equality existed, in practice efforts were still required to permit women to combine their functions as mother, worker and citizen, and priority was being given to the solution of social problems affecting women, children and families. Among them were the need to improve working and living conditions of women, especially in the rural areas where conditions were less favourable than in urban areas, reduction of the work week for women with children, an increase in the amount of child-care facilities available, as the current facilities met only one fifth of the needs, improving the conditions of occupational safety and health.

373. The Government realized that the problems were difficult and would need a step-by-step approach within the scarce resources available. Some results had already been achieved, for example in December 1989 the Presidium of the Great People's Hural enacted four decrees affecting women and children. They included amendments to the Public Health Law to give women the right to decide on the number and spacing of their children and permitting abortion in hospitals under medical supervision, amendment of the labour code to extend paid maternity leave to cover early child care with job protection and continuity in seniority (a provision which also applied to single women), amendment to the Law of Pensions, for example, to entitle women who had had four or more children and had worked at least 15 years to a full pension at 50 years of age, to entitle women and men who needed to care for children and grandchildren below three years to retire up to three years earlier

and a granting of pre- and post-natal as well as child-care leave to students at higher educational establishments and vocational technical schools. A number of measures had been taken to improve the working and living conditions of women including wage increases in economic sectors where women were in the majority, a law of individual business to permit individuals, including women, to choose their own economic activity, a decree from the parliament to increase the number of cattle to be held as private property, special measures in the next five-year plan on maternal and child care, improving of working and living conditions of women, single mothers and mothers with many children, a plan to double the number of pre-school institutions in the next plan period, introduction of flexi-time and similar arrangements for the parents of young children, and a demographic policy.

374. She noted that political activity of women had increased and that in June 1990 the quinquennial Congress of Mongolian Women would be held and a proposal to give the Committee of Mongolian Women the right to initiate legislation, as well as to create a national machinery, were under consideration. On the tenth anniversary of the Convention, it was being published in a national mass-circulation newspaper.

375. Regarding questions on article 2, the representative noted that equality legislation was being improved by strengthening the penal code for impeding women in the exercise of their rights, inter alia, by providing punishments ranging from fines and loss of job to imprisonment. Similar punishments were expected for violations of provisions of the labour legislation. Women's organization representatives were expected to participate in the governance of state enterprises on matters relating to labour and social issues. There was no institution specifically monitoring achievement of women's rights, but the matter was pursued through the judicial system. There was no special research institute on women, but a growing amount of research was taking place in the main scientific research institutions.

376. On article 5, in relation to a question on the way the recognition of the common responsibility of women and men with regard to the education of their children was being assured, it was stated that both parents had obligations. In response to a follow-up question, it was stated that religion was connected with history, culture and art and was considered to be the spirit of the people. Interest in it was increasing, but it did not have a negative influence on women, either currently or historically. There were no persisting traditional practices that worked against women.

377. With regard to article 6, responding to questions on prostitution and AIDS, the representative said that there were no recorded cases of prostitution and that, moreover, pornography was banned. Mongolia was AIDS-free and efforts were being made to prevent the development and spread of the epidemic, including education in the schools and sex education.

378. Regarding questions under article 7, she stated that women had begun to be elected to public bodies in 1925 and currently comprised 24.9 per cent of the deputies to the national parliament and 28.7 per cent of deputies to local councils. Women constituted 6 per cent of the membership of the Central Committee of the MPRP. Three women were members of its central audit committee. Currenty, a woman was Deputy Chairperson of the Great People's Hural and seven women were deputy ministers. The Central Committee of the Party had adopted a decree on the promotion of women to leadership posts in 1985 but it was being implemented slowly and not consistently, influenced by objective factors such as low level of

preparedness for political activities and absence of social infrastructure and subjective prejudices and attitudes against that participation. Because of restructuring, the progress might be more rapid in future and could be reflected in forthcoming elections.

379. Responding to questions about international level participation in the context of article 8, she stated that women participated actively in bilateral and multilateral activities, including those relating to international peace and co-operation and the requirements were the same for both women and men. Mongolia was underrepresented in the United Nations Secretariat and the only Mongolian working there was a woman.

380. In response to the Committee's question on the measures through which women had equal rights with men with regard to the nationality of their children, in regard to article 9, she stated that the law made no distinction between men and women, even in cases of divorce.

381. Concerning questions about access to education under article 10, it was noted that 40 per cent of the specialists in the economy with higher education were women, up from 27 per cent in 1975. The proportion of women in institutions of higher education had been increasing steadily and women now made up 55.7 per cent, as well as 50.6 per cent of students in secondary schools and 60.3 per cent of students in vocational-technical schools. Few students of either sex dropped out of school.

382. There was no difference in wages between women and men in the same profession; it was stated in response to Committee questions on article 11, that wages depended on education level and profession. Based on a follow-up question, she noted that several areas of the economy, such as health services and general education, social and community services, were feminized. There were policies to encourage women to enter non-traditional fields such as science and technology where there were 37 per cent women, and law, where there were 35 per cent. With 40 per cent of the population under 16 and most families having four children (or five to six in the rural areas), child care was a problem. There were places for only 20 per cent of the demand; the policy of the next five-year plan was to reach 30 per cent and enterprises were being encouraged to provide their own facilities.

383. Responding to questions on article 12, it was stated that the decree adopted on 23 December 1989 was to permit women to decide on the number and spacing of their children, as specified in the Convention. Under the new legislation, abortions were permitted on request of the woman, free and without conditions, in the first three months of pregnancy. After three months, permission from medical authorities was required.

384. There were no differences between women and men in economic rights, including access to credit. The new law on individual work and the increases in wages in the medical profession, which was made up of many women, would help women's economic status.

385. Regarding article 14, problems of rural women reflected the differences between rural and urban areas in amenities although there were few relevant statistics. An expert mission of the Economic and Social Commission for Asia and the Pacific (ESCAP) had noted the differences. Women mostly worked as livestock breeders within co-operatives and therefore were all paid. There were lower wages

for some types of work and there might be unpaid work in the home in connection with personal cattle, although that did produce income for the family.

Egypt

386. The Committee considered the second periodic report of Egypt (CEDAW/C/13/Add.2 and Amend.1) at its 164th and 165th meetings on 31 January 1990 (CEDAW/C/SR.164 and 165).

387. Introducing the second periodic report, the representative of Egypt stated that the legal concept of equality had to be seen within the framework of the economic and political scenario. Political systems might succeed in enacting laws that ensured equality, but the development of a society was based on the *de facto* situation. In Egypt, Islam was based on equality. The educational system enshrined courses on religion, that also had a bearing on personal matters, such as marriage and divorce. As the country had been faced with numerous economic and social problems, women were not able to exercise their full rights. However, Egypt had put much emphasis on legal equality and recommended another Decade for Women to build on the achievements of the first Decade. He also adverted to the global tendency towards conservatism, in general, and admitted the existence of conservative groups also in Islamic countries.

388. In reply to specific questions presented in writing, he said that statistical data more recent than those mentioned in the two reports were about to be circulated to the members of the Committee. Referring to the question as to whether Egypt was considering withdrawing any of its reservations, he stated that it was a country's sovereign right to enter reservations to an international legal instrument. He said that his Government took the view that it was more advisable to adhere to an international treaty with reservations rather than not becoming a party to it at all. However, there was a discussion among intellectuals and officials to reconsider the position regarding some of the reservations.

389. Concerning the question under article 2 of the relation between State law and Islamic law, the representative said that there was only one law that applied to all citizens. Islamic law governed the personal status of Muslims, and non-Muslims were governed by their own religious laws in personal matters. The reservations entered by his country would not affect the application of article 2 as the Constitution guaranteed equality for all persons irrespective of sex or religion. He quoted certain provisions of the Penal Code, the Civil Code and regulations referring to freedom of establishing political parties without any discrimination based on sex or religion. He also quoted provisions of the law which prescribed sanctions, guaranteed recourse to the court and compensation in case of discrimination and said that women could avail themselves of those rights. He said further that in the same way as civil matters were dealt with for Muslims according to Sharia Law and for Christians according to Christian Law, civil and family law matters for Coptic citizens were dealt with according to the rules of the Coptic Church.

390. Turning to article 4, he said that its implementation was improving on a continuing basis.

391. Referring to programmes to change the stereotyped concepts with regard to women, under article 5, he said that the educational curricula did not differentiate between women and men, that co-education was practised at primary and

university level and that the mass media, seminars and non-governmental organizations played a major role in that respect. The National Commission for Women and the Ministry of Social Affairs had disseminated information about recent legislation affecting women.

392. Turning to article 6, he said that there were no laws that governed trafficking in women and the exploitation of the prostitution of women. However, under the Penal Code, kidnapping was punishable by a life sentence and kidnapping combined with rape incurred the death penalty.

393. Referring to questions raised under article 7, the representative said that there was no quota regulation for the number of seats to be held by women in Parliament. The removal of the allocation of seats in the past did not constitute a limitation on the rights of women. Regarding the ratio of women to men on ballot lists, he said that any citizen regardless of sex could be entered in such lists and it was up to each individual to exercise that right. After the 1987 elections, there were 16 women in the Lower House and 10 women in the Upper House of Parliament. Concerning questions on women's organizations, he said that currently there were six political parties with their corresponding women's organizations. The National Commission for Women was chaired by the Minister of Social Affairs and conducted field surveys on the rights of women and prepared relevant publications for the mass media. The mention of two women Ministers in the report was due to an inaccurate translation of the report; there was only one woman Minister who held two portfolios. He did not answer the question as to whether that constituted progress when compared with the initial periodic report.

394. Regarding the reservation entered under article 9, the representative stated that there was a discussion to reconsider that reservation.

395. Turning to article 10, he said that women had full rights to education and had made inroads into several non-traditional areas. The two reasons for the higher drop-out rate for women at each educational level were economic factors and early marriage. Although education was compulsory at primary level and free from the primary to the university level, illiteracy had still not been totally eliminated because of the high school drop-out rate. Currently, more women than men were outstanding personalities in the research fields.

396. Referring to questions raised concerning article 11, the representative said that the unemployment rate for men was 8 per cent and for women 6 per cent, and that the apparent lower rate was to be explained by the lack of accurate statistics. Many men were emigrating to seek better employment opportunities abroad. Regarding measures taken to ensure that employers did employ more women in the whole range of occupations, he said that the authorities could not impose any such conditions but that the authorities encouraged employers to provide the same working conditions for the private, as well as public sectors. The compensation for part-time work with 50 per cent of regular pay had so far been only a recommendation by the Parliament, and was yet to be enacted into law. The ordinary age of retirement was 60. Women had the option to retire with full entitlements at the age of 50. He said further that the limit placed on maternity leave to only three times during a woman's working life was a move to encourage smaller families.

397. Turning to questions raised under article 12, he said that abortion was prohibited and punishable, but that contraception was made available free of charge. Some progress had been made with regard to the reduction of the mortality

rate of infants and mothers since the initial report. In spite of the practice of family planning, the prevailing high birth rate was due to culture and tradition. There was a lower rate of juvenile delinquency among girls than among boys and certain homes took care of the rehabilitation of their juvenile delinquents. Regarding the penalties for violence against women, he said that violence against women outside the home was punishable by life sentence or death, violence against women within the family was punishable like any other act of cruelty and was a ground for seeking divorce. The Koran emphasized fair treatment of wives by their husbands and women could seek divorce on grounds of maltreatment. He said that the Egyptian Bar Association had prepared a study that should instruct women about all their rights in marriage. Rape was a culpable offence.

398. Regarding questions raised about the practice of female circumcision, the representative said that the issue must be addressed by women's organizations. It was practised in the villages, but had no legal or religious connotation and was gradually dying out.

399. Turning to article 13 concerning women's rights to obtain bank loans, mortgages and other forms of financial credit, he said that under Islam women had their full economic rights and responsibilities on an equal footing with men.

400. In answer to questions raised under article 14 as to whether women in the agricultural labour force had similar working conditions and protection as urban workers, he said that rural work was not regulated; however, farmers' clubs helped to enhance the education of rural women and some improvement was noticeable. The substantive changes within the preceding 10 years referred to in the report concerned the health sector, family planning, availability of television and modern household appliances and the electrification of all households. However, the standard of health services in rural areas was lower than in urban areas. As a consequence of men's migration, women became heads of the families with increased responsibilities, but on the other hand it had led to an increase in the rate of family conflicts. Women could own land and join agricultural co-operatives.

401. Referring to article 15, he said that women had the same right as men to institute legal proceedings, they could also be witnesses in court, but their testimony did not have the same weight as that of men, which amounted to discrimination. Women had the same access to legal aid as men, they could conclude contracts in their own name and they could sue and be sued.

402. Under article 16, in reply to several questions concerning marriage, the representative stated that the prerequisite for a marriage contract to be valid under Islam was that it was entered into with the free and full consent of the woman. The age for attaining majority for both women and men under statutory law was 21 years. However, the age of marriage for a girl was 16 years and for a boy 18 years. Marriages and divorces were registered by a civil registrar. Regarding trusteeship and guardianship, women had priority over men because according to Egyptian concept, women were more capable than men of taking care of children. Adoption, however, was forbidden under Egyptian law. In reply to the question of how many women inserted a clause into the marriage contract to retain the option of a divorce, the representative said that women were free under Egyptian and Islamic law to enter such a clause, but that it was not a widespread practice.

403. In their additional comments and questions, members of the Committee hoped for an early withdrawal of the reservations to articles 2 and 9. Since double

nationality was allowed in Egypt, the issue of reservations on article 9 should be reconsidered in the light of this development. Furthermore, they noted that they would urge that subsequent periodic reports adhere more closely to the Committee's general guidelines and take into account the comments made at the current session. They also noted the lack of progress on the part of the National Commission for Women, the lack of interest among women to use their rights and the paucity of party programmes for the advancement of women.

404. It was noted that Islam gave women so many privileges, but due to misinterpretations women did not enjoy their rights. The Government should make every effort to give women the rights enshrined in the Koran. In answer to the suggestion touching on the relatively favourable condition of women under Islamic law in certain fields and the question whether some interpretations of Islam were correct and whether the world-wide conservative tendency applied to Egypt as well and, if it did, which age group, the representative said that the concept of Islam was the concept of equality and that in reality, however, there were some misinterpretations, which ought to be corrected.

405. The statement in the report that "the question of the validity of the provisions of the Convention or of referral to them before courts did not arise" was questioned. In reply to that query the representative said that the State having become a party to an international legal instrument, that legal instrument became an integral part of the national law. Therefore, the Convention could be directly invoked before courts of law.

406. Concern was expressed concerning the high school drop-out rate of girls, the high rate of illiteracy and why, if those issues related to economic reasons, it should affect only girls and not also boys, and also at the statement that a woman's testimony did not have the same weight as that of a man. It was hoped that women's participation in political life would increase. There was disagreement with the statement that the achievement of equality for women depended on the stage of economic development of a country.

407. More detailed statistics on the rate of unemployment were requested as well as information on the social security entitlements of domestic servants and women working in family enterprises. In reply to a question concerning the work of women in the mining, petroleum and construction industry, the representative said there was no discrimination against women in any type of occupation. However, women were entitled to protection in certain jobs that were considered harmful to their health.

408. As abortion was against the law, it was asked whether measures were envisaged to combat clandestine abortion. A certain discrepancy was noted between the limit placed on maternity leave and the ban on abortion. In reply, the representative emphasized the free access to contraceptives in family planning centres.

409. Concerning the questions as to whether there were different laws in the country and how the Constitution could harmonize the various religious groups, he repeated that the Constitution applied to all persons irrespective of sex and that there was only one statute; however, matters related to personal status were governed by different regulations according to the religion of the persons concerned. Islamic law was not imposed upon the adherents of other religions. With regard to the question what happened to orphaned children considering that adoption was forbidden by law, the representative said that instead of adoption, Islam had enshrined the custody system to take care of children who were orphans,

under which the child was given full financial support and protection, but not the family name of the custodians. In addition to that, there were orphanages. Concerning the rights of women after a divorce, the representative explained that women were entitled to alimony during the first year and were given custody of the children, for whom the father had to pay maintenance. The women were also entitled to keep the matrimonial home.

Canada

410. The Committee considered the second periodic report of Canada (CEDAW/C/13/Add.11, parts I and II) at its 167th meeting, on 2 February 1990 (CEDAW/C/SR.167).

411. The representative of Canada, in introducing the report, stated that the size of the delegation reflected the importance attached to the preparation and presentation of the report. He noted that Canada was a federal State with responsibilities for various subjects divided between the federal and provincial levels and, in addition, there was a large number of non-governmental organizations involved with women's matters. Considerable progress had been recorded and the advancement of women continued to be a high priority of the Government.

412. The Charter of Rights and Freedoms, in section 15, guaranteed equality between women and men. Based on those provisions, 50 cases that cited gender as a ground of discrimination had been litigated over the past three years and the decisions on them had resulted in practical progress for women. The Supreme Court of Canada had ruled that international instruments had relevance for the interpretation of the Charter. A national court challenges programme had been established to provide funding for women seeking redress under the law so that they could take court to cases that would clarify and advance equality and language rights. However, the process of dismantling systemic discrimination was long and complex.

413. Anti-discrimination legislation was a key to implementing the Convention and the Supreme Court had adopted a broad interpretation of equality and the dignity of individuals, applying it to sexual harassment and discrimination on the basis of pregnancy. There were also amendments in order to eliminate discriminatory provisions in the Indian Act.

414. In terms of employment, women made up 44 per cent of the labour force, with 60 per cent working in some sectoral concentrations with wage disparities. There had been federal employment equity legislation requiring federally regulated employers and larger corporations to report on efforts to redress systemic discrimination against women, disabled persons, aboriginal minorities and members of visible minorities. The federal Government and seven provinces had taken initiatives to deal with the question of equal pay for work of equal value. There had been an increase in training and education to eradicate stereotypical attitudes about the woman's role in the workplace.

415. Concerning work and family responsibilities, in addition to the implementation of such measures as maternity and parental leave benefits, legislation had been enacted promulgating the national strategy on child care, giving priority to the needs of special groups of children.

416. In relation to women in public life, 40 out of 295 members of the House of Commons were women, up from 16 in 1982; there were six women in the federal

cabinet, one woman at the head of a major national political party and three women among the nine justices of the Supreme Court.

417. New legislation related to abortion had recently been tabled in Parliament. The proposed legislation established that abortion was a medical decision to be made between a woman and her doctor based on broadly defined health grounds.

418. New measures had been adopted to address the problem of violence against women, emphasizing immediate needs and the federal Government had allocated $Can. 40 million to prevention and protection; a national strategy was being elaborated and one province had allocated $Can. 42 million to deal with the problem of spousal assault.

419. Responding to general questions posed by the Committee, the head of Canada's national machinery explained the work of provincial agencies, including the Office for the Prevention of Family Violence in Alberta, the Advisory Committee on Women's Issues in Education in New Brunswick, the Family Task Force in Nova Scotia and the Task Force on Day Care for Children in Quebec. She noted that more updated statistics were in the process of being prepared; the updated comprehensive analysis entitled "Women in Canada" would be issued in a few months and updated statistics would be included in the next periodic report in 1991. The structure of the next report would be considered in the light of the Committee's suggestion that information be presented under one head rather than under individual provinces. The governments in Canada maintained close contact with non-governmental organizations, which were integral parts of the national machinery and their views were consequently always taken into consideration. There had been a number of efforts to publicize the Convention, including wide distribution of the text as well as Canada's report on the Convention and United Nations information material on it.

420. Concerning decisions of the Supreme Court relevant to discrimination and the Convention, in the light of article 2, it was noted that section 15 of the Charter had been cited in two cases, neither involving discrimination by sex, but which had interpreted the section as precluding systemic or indirect discrimination as well as direct discrimination. The interpretation also covered analogous grounds, such as personal characteristics that were associated with other disadvantages such as marital status. Section 7 on the right to life, liberty and security of the person had been interpreted so as to strike down the therapeutic abortion provisions of the Criminal Code, and the Court had ruled that international agreements to which Canada had become a party could be used in the interpretation of the Charter. The Charter applied to all citizens equally including to immigrant women and Inuit persons. Also in relation to article 2, the Government had introduced Bill C-5 to amend the Criminal Code and the Canada Evidence Act dealing with sexual abuse of children. The amendment had come into force on 1 January 1988 and a Special Adviser on Child Sexual Abuse had been given a mandate to co-ordinate federal action on that subject. To examine new legislation in the light of the Charter, the Federal Minister of Justice undertook reviews, including the question of consistency with international human rights obligations. It was noted that proposed new legislation on abortion did not constitute sexual discrimination contrary to article 2 (g).

421. In relation to article 3, with reference to special programmes aimed at equal educational and cultural opportunities for Indian women, it was noted that the Aboriginal Women's Program, Native Citizens Directorate, Secretary of State had a

mandate in the area and a number of activities were under way. Aboriginal women were not, however, fully involved in the economic and political life of the country, although that was gradually changing as aboriginal women became increasingly active in their communities. With regard to guidelines for immigrant women who lost their sponsorship because of family violence, it was explained that, under the guidelines, the sponsored spouse was not required to meet immigration selection criteria because of the promise of 10-year sponsorship by the spouse, which many feared might lead to automatic deportation if the sponsored spouse left the home and sought assistance in cases of violence or marital breakdown. Under the Charter, leaving a spouse was never sufficient grounds for deportation and immigrants had the same protection as citizens.

422. On article 4, relating to affirmative action, the Employment Equity Act was intended to ensure that all federal contractors doing business with the Government achieved and maintained a fair and representative workplace. In addition, the Women's Career Counselling and Referral Bureau of the Public Service had had a positive impact on the mobility of women within the public service and its mandate had been extended for another five years.

423. On article 5, regarding obscenity legislation, it was stated that a bill had been introduced that would prohibit child pornography and pornography containing violent or degrading material. That would place tighter controls and add sex to the list of items against which hate propaganda was prohibited. The legislation was still pending. There were still many stereotyped attitudes and that constituted an obstacle to advancement.

424. Regarding article 6, it was confirmed that Bill C-15 dealing with juvenile prostitutes had come into force on 1 January 1988.

425. On article 7, there had been a slow but steady increase in the percentage of women in Parliament, the Government, public office and the judicial system, as reflected in an increase from 5.7 per cent in 1982 to 13.2 per cent in 1990 in the House of Commons, from 6.9 per cent to 14.5 per cent in provincial legislatures, from 6.3 per cent to 8.5 per cent in federal appointments as well as from 2 to 13 per cent in the number of women who held the highest diplomatic ranks. The political parties did not have quota systems but the main parties had taken steps to ensure female representation at party conferences and at the executive levels. Candidates were selected locally and women's political action was focused on that level. For minority women, the National Organization of Immigrant and Visible Minority Women had served as a catalyst in the interest of those groups and the new president of the Advisory Committee on Women was a member of the board of directors of that group. The political parties had instituted special programmes to attract and involve women in the political process.

426. In terms of article 8, there was a co-ordinated federal government approach to providing candidates for vacancies in international organizations. Women were actively sought for those vacancies and the Government had also been a persistent voice for the advancement of women in the United Nations system.

427. Programmes were in place to encourage boys and girls to break away from stereotyped choices of education and training, in the context of article 10, mostly at the provincial level to which educational responsibility was delegated, including in particular information campaigns, curriculum changes, monitoring of teaching material and scholarship programmes.

428. Regarding article 11, it was stated that the Pay Equity Acts of several provinces had been drafted in the light of the Convention and the general approach adopted by the Canadian Human Rights Commission had been to base evaluations on a composite of skill, effort, responsibility and working conditions. Regarding the problem that Canadian women on average earned only 65 per cent of men's earnings, steps taken included the application of pay equity provisions, provincial initiatives to ensure equal access to employment opportunities and affirmative action policies supported by the trade unions in the context of contract negotiations. Regarding child care, places were subsidized under the Canada Assistance Plan that cost-shared with provincial and territorial governments and that had led to an increase from 102,000 places in 1985 to 300,000 in 1989. There was an ongoing debate as to the State's role in that issue. Wages for child-care workers varied across the country but were generally low relative to the responsibilities involved and that was an area of concern that would be addressed in the next report. Although there would be a general review of labour standards, there was no change in the current policy of coverage of part-time workers, although some provincial jurisdictions had implemented legislative and regulative changes ensuring equal treatment of part-time and full-time workers. In relation to the pension system, a number of plans were intended to provide income security in old age, including the public pension plan and employer-sponsored and individual pension and retirement savings plans. For the public service in the federal sector, equal value was enforced through a complaint-based mechanism. A joint union-management mechanism had undertaken a study of jobs in the public service that had led to equal pay adjustments for several classes of public servants, mostly women.

429. In terms of article 12, the issue of abortion was being addressed through legislation being considered in the House of Commons that would establish abortion as a medical decision to be made between a woman and her doctor on health grounds, including physical, mental and psychological health. After the striking down of the Criminal Code provisions on abortion there had been no measured change in the number of abortions, but statistics had shown that many Canadian women had had abortions in the United States. Maternal mortality/morbidity rates were 5.35 in 1983, 3.18 in 1984, 4.02 in 1986 and 2.97 in 1987. Regarding the issue of women infected with HIV and AIDS, it was noted that, as of 15 January 1990, 189 adult female AIDS cases had been reported, or 5.6 per cent of total adult cases and there had been a number of programmes to reach out to women with education and support, as well as a concern with the human rights implications of AIDS testing and medical research.

430. On article 13, it was noted that a number of social services were provided for single mothers and the tax law had been revised to allow single mothers to be taxed at a similar rate to married mothers. There were also efforts to train single women, including providing allowances for child and dependent care during training. To assist women in the enforcement of child-support decisions, there had been a $1.2 million grant to assist in the development of automatic enforcement procedures.

431. Regarding article 16, it was noted that the procedure of garnishing wages for maintenance payments was applicable to all federal and provincially regulated businesses through normal proceedings and the procedures now applicable to the public service would eliminate the previous protection of civil servants from such garnishment. A number of results had been obtained from the 1983 intergovernmental working group on wife-battering and were reflected in federal initiatives and the

$40 million family violence initiative noted previously. However, a study entitled "The City for Women: No Safe Place" had noted that 1 million Canadian women had been abused by husbands or live-in partners, more homicides involve husbands killing wives than the reverse and most Canadian women felt unsafe walking alone in their neighbourhoods after dark. A study of Indian and metis women also revealed extensive abuse.

432. Responding to a follow-up question, she noted that the success of Canada in achieving the advancement of women was, as suggested, due to both the strength of the feminist movement and the political will of the leaders of Canada, supported by the action of individuals and organizations to achieve that objective. In addition, the existence of a well-defined national machinery with a Minister sitting in important cabinet committees and connections with a network of women's organizations was also important, as was the understanding by both business and governments of the demographics of women's involvement in the economy. The political commitment was reflected as well in the involvement of the country's permanent representative in the presentation of the report.

433. In response to other follow-up questions, she noted that there would be follow-up with non-governmental organizations in the light of comments on the report. The issue of violence against elderly women was receiving attention but there was a need to deal more broadly with the issue, although Canada had a Minister of State for senior citizens to organize responses to those issues. It was noted that progress was stalled temporarily in social services for the poor, as well as child care, owing to the economic conditions faced by the country and the lack of a consensus on the role of the State in child care, but the picture showed signs of improving. Regarding a question on the composition of the Royal Commission of Inquiry into New Reproductive Technologies, it was explained that the Commission was composed of six experts in law and genetics and was chaired by a woman. On support for and opposition to the draft abortion legislation, opinion on the specific bill was divided, although most people supported a pro-choice position in general. Concerning age of marriage, it was noted that the matter was provincial but there was a growing move towards a federal standard of 18 years for both sexes. Efforts were being made to support aboriginal women in their languages but the basic languages of the country for business purposes for all citizens would continue to be English and French. The role of the National Film Board of Canada in producing films on violence against women was acknowledged.

434. The operation of the Secretariat of Appointments in the Office of the Prime Minister was described and its effect on increasing the number of women appointees noted. The results of studies describing the division of labour in the home had shown that, where women worked full-time in the home, spouses contributed 10 hours a week to domestic work and where women worked full-time outside the home, spouses contributed only 11 hours.

435. She noted that there continued to be opposition to equality, rooted in unchanged attitudes and slowly changing structures. That opposition was not increasing but had rather become better organized, and there was no opposition to affirmative action as that was guaranteed by the Charter.

436. The very comprehensive report of Canada indicated skill in fulfilling the reporting obligations, and it was suggested that Canada consider, in the context of its developments, assistance programmes to aid developing countries in their efforts to implement the Convention.

IV. WAYS AND MEANS OF IMPLEMENTING ARTICLE 21 OF THE CONVENTION

437. At its 168th meeting, on 1 February, the Committee considered and discussed the draft general recommendations presented by Working Group II. The Committee adopted general recommendations 14 and 15 and agreed to defer, because of time constraints, the other draft general recommendations, which Working Group II was considering, to the tenth session. The Secretariat was asked to include in the organization of work of the tenth session an item referring to the discussion of priority general recommendations.

General recommendations based on article 21 of the Convention

438. The general recommendations adopted by the Committee at its 168th meeting, on 1 February 1990, read as follows:

General recommendation No. 14 (ninth session, 1990)

Female circumcision

The Committee on the Elimination of Discrimination against Women,

Concerned about the continuation of the practice of female circumcision and other traditional practices harmful to the health of women,

Noting with satisfaction that Governments, where such practices exist, national women's organizations, non-governmental organizations, and bodies of the United Nations system, such as the World Health Organization and the United Nations Children's Fund, as well as the Commission on Human Rights and its Sub-Commission on Prevention of Discrimination and Protection of Minorities, remain seized of the issue having particularly recognized that such traditional practices as female circumcision have serious health and other consequences for women and children,

Taking note with interest of the study of the Special Rapporteur on Traditional Practices Affecting the Health of Women and Children, 7/ and of the study of the Special Working Group on Traditional Practices, 8/

Recognizing that women are taking important action themselves to identify and to combat practices that are prejudicial to the health and well-being of women and children,

Convinced that the important action that is being taken by women and by all interested groups needs to be supported and encouraged by Governments,

Noting with grave concern that there are continuing cultural, traditional and economic pressures which help to perpetuate harmful practices, such as female circumcision,

Recommends that States parties:

(a) Take appropriate and effective measures with a view to eradicating the practice of female circumcision. Such measures could include:

(i) The collection and dissemination by universities, medical or nursing associations, national women's organizations or other bodies of basic data about such traditional practices;

(ii) The support of women's organizations at the national and local levels working for the elimination of female circumcision and other practices harmful to women;

(iii) The encouragement of politicians, professionals, religious and community leaders at all levels, including the media and the arts, to co-operate in influencing attitudes towards the eradication of female circumcision;

(iv) The introduction of appropriate educational and training programmes and seminars based on research findings about the problems arising from female circumcision;

(b) Include in their national health policies appropriate strategies aimed at eradicating female circumcision in public health care. Such strategies could include the special responsibility of health personnel, including traditional birth attendant to explain the harmful effects of female circumcision;

(c) Invite assistance, information and advice from the appropriate organizations of the United Nations system to support and assist efforts being deployed to eliminate harmful traditional practices;

(d) Include in their reports to the Committee under articles 10 and 12 of the Convention on the Elimination of All Forms of Discrimination against Women information about measures taken to eliminate female circumcision.

General recommendation No. 15 (ninth session, 1990)

Avoidance of discrimination against women in national strategies for the prevention and control of acquired immunodeficiency syndrome (AIDS)

The Committee on the Elimination of Discrimination against Women,

Having considered information brought to its attention on the potential effects of both the global pandemic of acquired immunodeficiency syndrome (AIDS) and strategies to control it on the exercise of the rights of women,

Having regard to the reports and materials prepared by the World Health Organization and other United Nations organizations, organs and bodies in relation to human immunodeficiency virus (HIV), and, in particular, the note by the Secretary-General to the Commission on the Status of Women on the effects of AIDS on the advancement of women 9/ and the Final Document of the International Consultation on AIDS and Human Rights, held at Geneva from 26 to 28 July 1989, 10/

Noting World Health Assembly resolution WHA 41.24 on the avoidance of discrimination in relation to HIV-infected people and people with AIDS of 13 May 1988, resolution 1989/11 of the Commission on Human Rights on non-discrimination in the field of health, of 2 March 1989, and in particular the Paris Declaration on Women, Children and AIDS, of 30 November 1989,

Noting that the World Health Organization has announced that the theme of World Aids Day, 1 December 1990, will be "Women and Aids",

Recommends:

(a) That States parties intensify efforts in disseminating information to increase public awareness of the risk of HIV infection and AIDS, especially in women and children, and of its effects on them;

(b) That programmes to combat AIDS should give special attention to the rights and needs of women and children, and to the factors relating to the reproductive role of women and their subordinate position in some societies which make them especially vulnerable to HIV infection;

(c) That States parties ensure the active participation of women in primary health care and take measures to enhance their role as care providers, health workers and educators in the prevention of infection with HIV;

(d) That all States parties include in their reports under article 12 of the Convention information on the effects of AIDS on the situation of women and on the action taken to cater to the needs of those women who are infected and to prevent specific discrimination against women in response to AIDS.

V. ADOPTION OF THE REPORT

439. At its 169th and 170th meetings, on 2 February 1990, the Committee considered its draft report (CEDAW/C/L.7 and Add.1-22) on the work of its ninth session. The Committee adopted the report as amended in the course of the discussion.

Notes

1/ Official records of the General Assembly, Forty-fourth Session, Supplement No. 38 (A/44/38).

2/ Ibid., paras. 22-25.

3/ Ibid., para. 392.

4/ Ibid., para. 26 (d) (ii).

5/ Ibid., para. 392.

6/ Ibid., Forty-third Session, Supplement No. 38 (A/43/38), para. 770.

7/ E/CN.4/Sub.2/1989/42.

8/ E/CN.4/1986/42.

9/ E/CN.6/1989/6/Add.1.

10/ HR/AIDS/1989/3.

ANNEX I

States parties to the Convention on the Elimination of All Forms of Discrimination against Women as at 2 February 1990

States parties	Date of receipt of the instrument of ratification or accession	Date of entry into force
Angola	17 September 1986 a/	17 October 1986
Antigua and Barbuda	1 August 1989 a/	31 August 1989
Argentina	15 July 1985 b/	14 August 1985
Australia	28 July 1983 b/	27 August 1983
Austria	31 March 1982 b/	30 April 1982
Bangladesh	6 November 1984 a/ b/	6 December 1984
Barbados	16 October 1980	3 September 1981
Belgium	10 July 1985 b/	9 August 1985
Bhutan	31 August 1981	30 September 1981
Brazil	1 February 1984 b/	2 March 1984
Bulgaria	8 February 1982 b/	10 March 1982
Burkina Faso	14 October 1987 a/	13 November 1987
Byelorussian Soviet Socialist Republic	4 February 1981 c/	3 September 1981
Canada	10 December 1981 b/	9 January 1982
Cape Verde	5 December 1980 a/	3 September 1981
Chile	7 December 1989	6 January 1990
China	4 November 1980 b/	3 September 1981
Colombia	19 January 1982	18 February 1982
Congo	26 July 1982	25 August 1982
Costa Rica	4 April 1986	4 May 1986
Cuba	17 July 1980 b/	3 September 1981
Cyprus	23 July 1985 a/ b/	22 August 1985
Czechoslovakia	16 February 1982 b/	18 March 1982
Democratic Yemen	30 May 1984 a/ b/	29 June 1984
Denmark	21 April 1983	21 May 1983
Dominica	15 September 1980	3 September 1981
Dominican Republic	2 September 1982	1 October 1982
Ecuador	9 November 1981	9 December 1981
Egypt	18 September 1981 b/	18 October 1981
El Salvador	19 August 1981 b/	18 September 1981
Equatorial Guinea	23 October 1984 a/	22 November 1984
Ethiopia	10 September 1981 b/	10 October 1981
Finland	4 September 1986	4 October 1986
France	14 December 1983 b/ c/	13 January 1984
Gabon	21 January 1983	20 February 1983
German Democratic Republic	9 July 1980 b/	3 September 1981
Germany, Federal Republic of	10 July 1985 b/	9 August 1985
Ghana	2 January 1986	1 February 1986
Greece	7 June 1983	7 July 1983
Guatemala	12 August 1982	11 September 1982
Guinea	9 August 1982	8 September 1982
Guinea-Bissau	23 August 1985	22 September 1985

best copy available

States parties	Date of receipt of the instrument of ratification or accession	Date of entry into force
Guyana	17 July 1980	3 September 1981
Haiti	20 July 1981	3 September 1981
Honduras	3 March 1983	2 April 1983
Hungary	22 December 1980 b/	3 September 1981
Iceland	18 June 1985	18 July 1985
Indonesia	13 September 1984 b/	13 October 1984
Iraq	13 August 1986 a/ b/	12 September 1986
Ireland	23 December 1985 a/ b/ c/	22 January 1986
Italy	10 June 1985	10 July 1985
Jamaica	19 October 1984 b/	18 November 1984
Japan	25 June 1985	25 July 1985
Kenya	9 March 1984 a/	8 April 1984
Lao People's Democratic Republic	14 August 1981	13 September 1981
Liberia	17 July 1984 a/	16 August 1984
Libyan Arab Jamahiriya	16 May 1989 a/ b/	15 June 1989
Luxembourg	2 February 1989 b/	4 March 1990
Madagascar	17 March 1989	16 April 1989
Malawi	12 March 1987 a/ b/	11 April 1987
Mali	10 September 1985	10 October 1985
Mauritius	9 July 1984 a/ b/	8 August 1984
Mexico	23 March 1981	3 September 1981
Mongolia	20 July 1981 b/	3 September 1981
New Zealand	10 January 1985 b/ c/	9 February 1985
Nicaragua	27 October 1981	26 November 1981
Nigeria	13 June 1985	13 July 1985
Norway	21 May 1981	3 September 1981
Panama	29 October 1981	28 November 1981
Paraguay	6 April 1987 a/	6 May 1987
Peru	13 September 1982	13 October 1982
Philippines	5 August 1981	4 September 1981
Poland	30 July 1980 b/	3 September 1981
Portugal	30 July 1980	3 September 1981
Republic of Korea	27 December 1984 b/	26 January 1985
Romania	7 January 1982 b/	6 February 1982
Rwanda	2 March 1981	3 September 1981
Saint Kitts and Nevis	25 April 1985 a/	25 May 1985
Saint Lucia	8 October 1982 a/	7 November 1982
Saint Vincent and the Grenadines	4 August 1981 a/	3 September 1981
Senegal	5 February 1985	7 March 1985
Sierra Leone	11 November 1988	11 December 1988
Spain	5 January 1984 b/	4 February 1984
Sri Lanka	5 October 1981	4 November 1981
Sweden	2 July 1980	3 September 1981
Thailand	9 August 1985 a/ b/	8 September 1985
Togo	26 September 1983 a/	26 October 1983
Tunisia	20 September 1985 b/	20 October 1985
Turkey	20 December 1985 a/ b/	19 January 1986
Uganda	22 July 1985	21 August 1985

States parties	Date of receipt of the instrument of ratification or accession	Date of entry into force
Ukrainian Soviet Socialist Republic	12 March 1981 c/	3 September 1981
Union of Soviet Socialist Republics	23 January 1981 c/	3 September 1981
United Kingdom of Great Britain and Northern Ireland	7 April 1986 b/	7 May 1986
United Republic of Tanzania	20 August 1985	19 September 1985
Uruguay	9 October 1981	8 November 1981
Venezuela	2 May 1983 b/	1 June 1983
Viet Nam	17 February 1982 b/	19 March 1982
Yugoslavia	26 February 1982	28 March 1982
Zaire	17 October 1986	16 November 1986
Zambia	21 June 1985	21 July 1985

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a/ Accession.

b/ Reservation.

c/ Reservation subsequently withdrawn.

ANNEX II

Submission of reports by States parties under article 18 of the Convention as at 2 February 1990

A. Initial reports due or submitted as at 22 January 1990
(issued under the series CEDAW/C/5/...)

States parties	Invitation to submit reports	Date due	Date of submission
Angola	22 October 1986	17 October 1987	
Antigua and Barbuda	4 September 1989	31 August 1990	
Argentina	16 August 1985	14 August 1986	6 October 1986 (Add.39) f/
Australia	12 September 1983	27 August 1984	3 October 1986 (Add.40) f/
Austria	23 April 1982	30 April 1983	20 October 1983 (Add.17) c/
Bangladesh	2 April 1985	6 December 1985	12 March 1986 (Add.34) e/
Barbados	2 March 1982	3 September 1982	
Belgium	16 August 1985	9 August 1986	20 July 1987 (Add.53) g/
Bhutan	2 March 1982	30 September 1982	
Brazil	2 March 1984	2 March 1985	
Bulgaria	2 March 1982	10 March 1983	13 June 1983 (Add.15) c/
Burkina Faso	24 November 1987	13 November 1988	
Byelorussian Soviet Socialist Republic	2 March 1982	3 September 1982	4 October 1982 (Add.5) a/
Canada	2 March 1982	9 January 1983	15 July 1983 (Add.16) c/
Cape Verde	2 March 1982	3 September 1982	
Chile	6 January 1990	6 January 1991	
China	2 March 1982	3 September 1982	25 May 1983 (Add.14) b/
Colombia	2 March 1982	18 February 1983	16 January 1986 (Add.32) e/
Congo	14 September 1982	25 August 1983	
Costa Rica	7 May 1986	4 May 1987	
Cuba	2 March 1982	3 September 1982	27 September 1982 (Add.4) a/
Cyprus	23 August 1985	22 August 1986	
Czechoslovakia	14 September 1982	18 March 1983	4 October 1984 (Add.26) d/
Democratic Yemen	24 August 1984	29 June 1985	23 January 1989 (Add.61)
Denmark	7 July 1983	21 May 1984	30 July 1984 (Add.22) d/
Dominica	2 March 1982	3 September 1982	
Dominican Republic	14 September 1982	2 October 1983	2 May 1986 (Add.37) f/

States parties	Invitation to submit reports	Date due	Date of submission
Ecuador	2 March 1982	9 December 1982	14 August 1984 (Add.23) d/
Egypt	2 March 1982	18 October 1982	2 February 1983 (Add.10) b/
El Salvador	2 March 1982	18 September 1982	3 November 1983 (Add.19) d/
Equatorial Guinea	2 April 1985	22 November 1985	16 March 1987 (Add.50) g/
Ethiopia	2 March 1982	10 October 1982	
Finland	6 October 1986	4 October 1987	16 February 1988 (Add.56) g/
France	8 February 1984	13 January 1985	13 February 1986 (Add.33) e/
Gabon	28 February 1983	20 February 1984	19 June 1987 (Add.54) g/
German Democratic Republic	2 March 1982	3 September 1982	30 August 1982 (Add.1) a/
Germany, Federal Republic of	16 August 1985	9 August 1986	15 September 1988 (Add.59) h/
Ghana	3 February 1986	1 February 1987	
Greece	7 July 1983	7 July 1984	5 April 1985 (Add.28) e/
Guatemala	14 September 1982	11 September 1983	
Guinea	14 September 1982	8 September 1983	
Guinea-Bissau	25 September 1985	22 September 1986	
Guyana	2 March 1982	3 September 1982	23 January 1990 (Add.63)
Haiti	2 March 1982	3 September 1982	
Honduras	13 April 1983	2 April 1984	3 December 1986 (Add.44)
Hungary	2 March 1982	3 September 1982	20 September 1982 (Add.3) b/
Iceland	16 August 1985	18 July 1986	
Indonesia	31 October 1984	13 October 1985	17 March 1986 (Add.36) f/
Iraq	15 September 1986	12 September 1987	
Ireland	24 January 1986	22 January 1987	18 February 1987 (Add.47) g/
Italy	11 July 1985	10 July 1986	20 October 1989 (Add.62)
Jamaica	31 October 1984	18 November 1985	12 September 1986 (Add.38) f/
Japan	16 August 1985	25 July 1986	13 March 1987 (Add.48) f/
Kenya	16 April 1984	8 April 1985	
Lao People's Democratic Republic	2 March 1982	13 September 1982	
Liberia	24 August 1984	16 August 1985	
Libyan Arab Jamahiriya	18 January 1989	15 June 1990	
Luxembourg	28 March 1989	4 March 1990	

States parties	Invitation to submit reports	Date due	Date of submission
Madagascar	18 April 1989	16 April 1990	
Malawi	18 May 1987	11 April 1988	15 July 1988 (Add.58) h/
Mali	14 October 1985	10 October 1986	13 November 1986 (Add.43) f/
Mauritius	24 August 1984	8 August 1985	
Mexico	2 March 1982	3 September 1982	14 September 1982 (Add.2) a/
Mongolia	2 March 1982	3 September 1982	18 November 1983 (Add.20) d/
New Zealand	2 April 1985	9 February 1986	3 October 1986 (Add.41) f/
Nicaragua	2 March 1982	26 November 1982	22 September 1987 (Add.55) g/
Nigeria	14 July 1985	13 July 1986	1 April 1987 (Add.49) f/
Norway	2 March 1982	3 September 1982	18 November 1982 (Add.7) b/
Panama	2 March 1982	28 November 1982	12 December 1982 (Add.9) c/
Paraguay	18 June 1987	6 May 1988	
Peru	12 October 1982	13 October 1983	14 September 1988 (Add.60) h/
Philippines	2 March 1982	4 September 1982	22 October 1982 (Add.6) b/
Poland	2 March 1982	3 September 1982	10 October 1985 (Add.31) e/
Portugal	2 March 1982	3 September 1982	19 July 1983 (Add.21) d/
Republic of Korea	2 April 1985	26 January 1986	13 March 1986 (Add.35) e/
Romania	2 March 1982	6 February 1983	14 January 1987 (Add.45)
Rwanda	2 March 1982	3 September 1982	24 May 1983 (Add.13) b/
Saint Kitts and Nevis	24 June 1985	25 May 1986	
Saint Lucia	17 December 1982	7 November 1983	
Saint Vincent and the Grenadines	2 March 1982	3 September 1982	
Senegal	2 April 1985	7 March 1986	5 November 1986 (Add.42) f/
Sierra Leone	13 December 1988	11 December 1989	
Spain	8 February 1984	4 February 1985	20 August 1985 (Add.30) e/
Sri Lanka	2 March 1982	4 November 1982	7 July 1985 (Add.29) e/
Sweden	2 March 1982	3 September 1982	22 October 1982 (Add.8) a/
Thailand	10 September 1985	8 September 1986	1 June 1987 (Add.51) h/
Togo	9 November 1983	26 October 1984	

States parties	Invitation to submit reports	Date due	Date of submission
Tunisia	22 October 1985	20 October 1986	
Turkey	22 January 1986	19 January 1987	27 January 1987 (Add.46) h/
Uganda	23 August 1985	21 August 1986	
Ukrainian Soviet Socialist Republic	2 March 1982	3 September 1982	2 March 1983 (Add.11) a/
Union of Soviet Socialist Republics	2 March 1982	3 September 1983	2 March 1983 (Add.12) a/
United Kingdom of Great Britain and Northern Ireland	9 May 1986	7 May 1987	25 June 1987 (Add.52) h/
United Republic of Tanzania	23 September 1985	19 September 1986	9 March 1988 (Add.57) h/
Uruguay	2 March 1982	8 November 1982	23 November 1984 (Add.27) f/
Venezuela	7 July 1983	1 June 1984	27 August 1984 (Add.24) d/
Viet Nam	14 September 1982	19 March 1983	2 October 1984 (Add.25) d/
Yugoslavia	14 September 1982	28 March 1983	3 November 1983 (Add.18) c/
Zaire	21 January 1987	16 November 1987	
Zambia	16 August 1985	21 July 1986	

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a/ Considered by the Committee at its second session, held from 1 to 12 August 1983.

b/ Considered by the Committee at its third session, held from 26 March to 6 April 1984.

c/ Considered by the Committee at its fourth session, held from 21 January to 1 February 1985.

d/ Considered by the Committee at its fifth session, held from 10 to 21 March 1986.

e/ Considered by the Committee at its sixth session, held from 30 March to 10 April 1987.

f/ Considered by the Committee at its seventh session, held from 16 February to 4 March 1988.

g/ Considered by the Committee at its eighth session, held from 20 February to 3 March 1989.

h/ Considered by the Committee at its ninth session, held from 22 January to 2 February 1990.

B. Second periodic reports of States parties due or submitted as at 2 February 1990 (issued under the series CEDAW/C/13/...)

States parties	Invitation to submit reports	Date due	Date of submission
Argentina	30 November 1989	14 August 1990	
Australia	18 December 1987	27 August 1988	
Austria	18 December 1987	30 April 1987	18 December 1989 (Add.27)
Bangladesh	31 October 1988	6 December 1989	
Barbados	30 January 1987	3 September 1986	
Bhutan	30 January 1987	30 September 1986	
Brazil	31 October 1988	2 March 1989	
Bulgaria	18 December 1987	10 March 1987	
Byelorussian Soviet Socialist Republic	12 August 1985	3 September 1986	3 March 1987 (Add.5) b/
Canada	18 December 1987	9 January 1987	20 January 1988 (Add.11) c/
Cape Verde	30 January 1987	3 September 1986	
China	12 August 1985	3 September 1986	22 June 1989 (Add.26)
Colombia	18 December 1987	18 February 1987	
Congo	18 December 1987	25 August 1987	
Cuba	12 August 1985	3 September 1986	
Czechoslovakia	18 December 1987	18 March 1987	16 June 1989 (Add.25)
Democratic Yemen	31 October 1988	29 June 1989	8 June 1989 (Add.24)
Denmark	18 December 1987	21 May 1988	2 June 1988 (Add.14)
Dominica	30 January 1987	3 September 1986	
Dominican Republic	18 December 1987	2 October 1987	
Ecuador	12 August 1985	9 December 1986	
Egypt	12 August 1985	18 October 1986	19 December 1986 (Add.2) c/
El Salvador	12 August 1985	18 September 1986	18 December 1987 (Add.12)
Equatorial Guinea	31 October 1988	22 November 1989	
Ethiopia	30 January 1987	10 October 1986	
France	31 October 1988	13 January 1989	
Gabon	18 October 1987	20 February 1988	
German Democratic Republic	12 August 1985	3 September 1986	28 January 1987 (Add.3) b/
Greece	18 December 1987	7 July 1988	
Guatemala	18 December 1987	11 September 1987	
Guinea	18 December 1987	8 September 1987	
Guyana	30 January 1987	3 September 1986	
Haiti	30 January 1987	3 September 1986	
Honduras		2 April 1988	28 October 1987 (Add.9)
Hungary	12 August 1985	3 September 1986	29 September 1986 (Add.1) a/

States parties	Invitation to submit reports	Date due	Date of submission
Indonesia	31 October 1988	13 October 1989	
Ireland	30 November 1989	22 January 1991	
Italy	30 November 1989	10 July 1990	
Jamaica	31 October 1988	18 November 1989	
Japan	30 November 1989	25 July 1990	
Kenya	31 October 1988	8 April 1989	
Lao People's Democratic Republic	30 January 1987	13 September 1986	
Liberia	31 October 1988	16 August 1989	
Mali	30 November 1989	10 October 1990	
Mauritius	31 October 1988	8 August 1989	
Mexico	12 August 1985	3 September 1986	3 December 1987 (Add.10) c/
Mongolia	12 August 1985	3 September 1986	17 March 1987 (Add.7) c/
New Zealand	30 November 1989	9 February 1990	
Nicaragua	18 December 1987	26 November 1986	16 March 1989 (Add.20)
Nigeria	30 November 1989	13 July 1990	
Norway	12 August 1985	3 September 1986	23 June 1988 (Add.15)
Panama	12 August 1985	28 November 1986	
Peru	18 December 1987	13 October 1987	
Philippines	12 August 1986	4 September 1986	12 December 1988 (Add.17)
Poland	18 December 1987	3 September 1986	17 November 1988 (Add.16)
Portugal	12 August 1985	3 September 1986	18 May 1989 (Add.22)
Republic of Korea	30 November 1989	26 January 1990	19 December 1989 (Add.28)
Romania	18 December 1987	6 February 1987	
Rwanda	12 August 1985	3 September 1986	7 March 1988 (Add.13)
Saint Lucia	18 December 1987	7 November 1987	
Saint Vincent and the Grenadines	30 January 1987	3 September 1986	
Senegal	30 November 1989	7 March 1990	
Spain	31 October 1988	4 February 1989	3 February 1989 (Add.19)
Sri Lanka	18 December 1987	4 November 1986	29 December 1988 (Add.18)
Sweden	12 August 1985	3 September 1986	10 March 1987 (Add.6) a/
Togo	31 October 1988	26 October 1988	
Ukrainian Soviet Socialist Republic	12 August 1985	3 September 1986	13 August 1987 (Add.8) c/
Union of Soviet Socialist Republics	12 August 1985	3 September 1986	10 February 1987 (Add.4) b/
Uruguay	12 August 1985	8 November 1986	

States parties	Invitation to submit reports	Date due	Date of submission
Venezuela	18 December 1987	1 June 1988	18 April 1989 (Add.21)
Viet Nam	18 December 1987	19 March 1987	
Yugoslavia	18 December 1987	28 March 1987	31 May 1989 (Add.23)

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a/ Considered by the Committee at its seventh session, held from 16 February to 4 March 1988.

b/ Considered by the Committee at its eighth session, held from 20 February to 3 March 1989.

c/ Considered by the Committee at its ninth session, held from 22 January to 2 February 1990.

ANNEX III

Membership of the Committee on the Elimination of Discrimination against Women at its ninth session

Name of member	Country of nationality
Ms. Ryoko Akamatsu*	Japan
Ms. Ana Maria Alfonsén de Fasan**	Argentina
Ms. Desirée P. Bernard**	Guyana
Ms. Carlota Bustelo García del Real**	Spain
Ms. Ivanka Corti*	Italy
Ms. Hadja Assa Diallo Soumare*	Mali
Ms. Ruth Escobar*	Brazil
Ms. Elizabeth Evatt**	Australia
Ms. Grethe Fenger-Möller**	Denmark
Ms. Norma M. Forde*	Barbados
Ms. Aida Gonzalez Martinez**	Mexico
Ms. Guan Minqian*	China
Ms. Zagorka Ilic*	Yugoslavia
Ms. Chryssanthi Laiou-Antoniou**	Greece
Ms. Elvira Novikova*	Union of Soviet Socialist Republics
Ms. Edith Oeser**	German Democratic Republic
Ms. Lily Pilataxi de Arenas*	Ecuador
Ms. Pudjiwati Sajogyo*	Indonesia
Ms. Hanna Beate Schöpp-Schilling**	Germany, Federal Republic of
Ms. Kongit Singegiorgis**	Ethiopia
Ms. Mervat Tallawy*	Egypt
Ms. Rose N. Ukeje*	Nigeria
Ms. Kissem Walla-Tchangai**	Togo

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* Term of office expires in 1990.

** Term of office expires in 1992.

ANNEX IV

Programme budget implications of the proposal of Working Group I on organizational matters of the Committee on the Elimination of Discrimination against Women

Statement submitted by the Secretary-General in accordance with rule No. 18 of the rules of procedure of the Committee on the Elimination of Discrimination against women

A. Request contained in Working Paper 4/1990/Add.4 of Working Group I

1. In its Working Paper 4/1990/Add.4 of 29 January 1990, Working Group I on organizational matters of the Committee on the Elimination of Discrimination against Women, proposed:

(a) To hold a five-day session of a pre-session working group, prior to the tenth session of the Committee in 1991, in order to prepare issues and questions relating to the second periodic reports of the States Parties to be considered at the regular session of the Committee;

(b) To provide daily subsistence allowances to five members consisting of the working group of the Committee and, possibly, interpretation services in six languages: Arabic, Chinese, English, French, Russian and Spanish.

B. Relationship of request to the programme of work for the biennium 1990-1991

2. The tenth session of the Committee, to be held in 1991, would have a pre-session for a period of five working days, which will be in addition to the regular 10-working-day session. This additional meeting will need to be reflected in the calendar of conferences and meetings for 1991 for consideration and approval by the Committee on Conferences and the General Assembly. The programme budget does not include provision for the additional days of subsistence allowance to be paid to the five members of the Committee.

C. Activities by which the proposals would be implemented

3. It is the understanding of the Secretariat that interpretation would be required in six languages, and that neither pre-session, in-session nor post-session documentation would specifically be required by the working group during its session. The proposed pre-session will necessitate an additional payment of daily subsistence allowance to each of the five members of the Committee's working group. No additional honoraria will be payable to those members.

D. Requirements at full cost

4. The subsistence and conference-servicing requirements for holding the five working days of meetings immediately prior to the regular session of the Committee in 1991 are estimated, on a full-cost basis, as follows:

	1991 Vienna $US
Section 8 of the programme budget	
Additional subsistence allowance for five members of the Committee who serve on Working Group I	7 400
Section 29 of the programme budget	
Additional meetings of five days	
Meeting servicing (10 meetings, A, C, E, F, R, S)	63 900

E. Potential for absorption

Conference-servicing costs

5. The estimates of conference-servicing costs indicated in paragraph 4 above are based on the theoretical assumption that no part of the conference-servicing costs requirements would be met from within the permanent conference-servicing capacity under section 29 of the programme budget, and that additional resources would be required for temporary assistance for meetings. The extent to which the Organization's permanent capacity needs to be supplemented by temporary assistance resources can be determined only in the light of the calendar of conferences for 1990-1991. However, as indicated in paragraph 29.5 of the programme budget, the 1990-1991 level of resources for temporary assistance for meetings was estimated on the basis of previous experience to accommodate not only for meetings known at the time of the budget preparations but also meetings that would be authorized subsequently, provided that the number and distribution of meetings and conferences in the biennium 1990-1991 was consistent with the pattern of meetings in past years. On that basis, it is estimated that no additional resources would be required under section 29 of the programme budget for the biennium 1990-1991 as a result of the adoption of the proposal contained in Working Paper 4.

Other costs

6. As regards the costs involved for the additional daily subsistence allowance for five members of the Working Group, it is anticipated that the estimated requirement of $7,400 can be met from resources provided for in the programme budget for 1990-1991 through savings from non-attendance of two members to the present session of CEDAW, from savings of the travel costs and from possible savings from consultant resources in the area of the advancement of women provided under section 8, subprogramme 3 of the 1990-1991 programme budget.

7. Therefore, the estimated amount of $7,400 required for the additional daily subsistence allowance should be provided for from the amount included in the programme budget under section 8.

United Nations
GENERAL ASSEMBLY
Forty-fifth session
Official Records

CORRIGENDUM
Supplement No. 38
(A/45/38)
24 August 1990
NEW YORK

REPORT OF THE COMMITTEE ON THE ELIMINATION OF DISCRIMINATION AGAINST WOMEN

Corrigendum

1. *Page 30, paragraph 171, second line*

   For 1989 *read* 1969

2. *Page 31, paragraph 173, second line*

   For 1989 *read* 1969

3. *Page 35, paragraph 193, eighth line*

   For National Commission of Women *read* Women's National Commission

4. *Page 38, paragraph 203, twentieth line*

   After The proportion of Civil Servants working on a part-time or job-share basis was small but increasing, *insert* 6 per cent of all Civil Servants now work part-time compared to 2.4 per cent in 1984, and 12 per cent of women Civil Servants now work part-time compared to 4.8 per cent in 1984

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